

## ARTICLE VIII

### REGULATORY

Section 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated regulatory agencies.

#### BOARD OF PUBLIC ACCOUNTANCY

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: PUBLIC STANDARDS</b>		
To establish standards in education, examination, and experience for Texas CPAs in the private and public sectors which will protect the public and meet the requirements for certification, licensing, and practice throughout domestic and international jurisdictions, but not necessarily restrict entry to the profession.		
<b>Outcomes:</b>		
Accounting Firms Registered as a Percentage of Applications Received (Includes Temporary Practice Permits)	97%	97%
Percentage of Individual Licensees Meeting Continuing Professional Education Requirements	99%	99%
Percentage of Accounting Firms Receiving Favorable Review	65%	65%
<b>A.1.1. Strategy: LICENSING</b>	\$ 568,621	\$ 568,373
Manage a comprehensive licensing and examination program.		
<b>Outputs:</b>		
Individuals Examined	13,000	13,000
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	4.52	4.45
Average Licensing Cost per Facility License Issued	3.21	3.19
<b>Explanatory:</b>		
Pass Rate	27%	27%
Total Number of Individuals Licensed	56,925	59,771
Total Number of Business Facilities Licensed	8,754	8,929
<b>A.1.2. Strategy: EXAMINATION</b>	\$ 785,000	\$ 825,000
Purchase the Uniform CPA Examination from the American Institute of Certified Public Accountants (AICPA) to promote uniformity and reciprocity with other licensing jurisdictions and utilize AICPA grading services to ensure that all papers written by candidates are graded consistently. Estimated and non-transferable		
<b>Outputs:</b>		
Number of Papers Written on the Exam	38,145	36,428

# **BOARD OF PUBLIC ACCOUNTANCY** (Continued)

<b>A.2.1. Strategy: QUALITY REVIEW</b>	\$ 62,108	\$ 62,108
Develop and implement a comprehensive quality review program for all accounting firms utilizing industry standards as the measure of competence and oversight through a Quality Review Oversight Board.		
<b>Outputs:</b>		
Number of Quality Reviews Conducted	1,683	1,717
Number of Quality Reviews Examined by the Quality Review Oversight Board (QROB)	50	50
<b>Efficiencies:</b>		
Average Cost per Quality Review Conducted	40.22	39.63
<b>Total, Goal A: PUBLIC STANDARDS</b>	<b>\$ 1,415,729</b>	<b>\$ 1,455,481</b>

## **B. Goal: PROTECT PUBLIC/ENFORCEMENT**

To aggressively enforce state regulations relating to the accounting profession; ensure swift, fair, and effective disciplinary action for violators of these standards; and require the re-education and rehabilitation of those violating these laws. To aggressively develop and implement high standards for the accounting profession in emerging issues as they relate to the welfare of the general public.

<b>Outcomes:</b>		
Percentage of Documented Complaints Resolved Within 6 Months	20%	20%
Recidivism Rate for Those Receiving Disciplinary Action	2%	2%
Percent of Complaints Resulting in Disciplinary Action	32%	32%

<b>B.1.1. Strategy: ENFORCEMENT</b>	\$ 549,359	\$ 549,342
Operate a system of enforcement which includes investigating and resolving complaints and promulgating rules to effectuate the Public Accountancy Act of 1991.		
<b>Outputs:</b>		
Number of Administrative Complaints Processed	1,530	1,530
Complaints Resolved	2,000	2,000
Total Number of Major Cases Investigated	20	20
<b>Efficiencies:</b>		
Average Cost per Major Case	11,500	9,923
Average Cost per Complaint Resolved	186.55	192.65
<b>Explanatory:</b>		
Non-Jurisdictional Complaints Received	7	7
Jurisdictional Complaints Received	1,948	1,948

## **C. Goal: PUBLIC EDUCATION**

To inform the public concerning board functions and the procedures by which complaints are filed, processed, and resolved so that citizens of Texas may better utilize CPA services and be protected from exploitation.

<b>Outcomes:</b>		
Percentage of Inquiries Responded to Within 30 Days	100%	100%

<b>C.1.1. Strategy: PUBLIC INFORMATION</b>	\$ 284,576	\$ 284,576
Develop and operate a coordinated system of public information to provide all interested parties information concerning the Public Accountancy Act of 1991, as well as board rules and procedures pertaining to qualification, examination, licensing, enforcement, and quality review.		

**BOARD OF PUBLIC ACCOUNTANCY**  
(Continued)

<b>Outputs:</b>		
Number of Written Responses to Other Licensing Authorities and the Public	2,205	2,315
<b>D. Goal: INDIRECT ADMINISTRATION</b>		
<b>D.1.1. Strategy: INDIRECT ADMINISTRATION</b>	<u>\$ 678,824</u>	<u>\$ 678,805</u>
<b>Grand Total, BOARD OF PUBLIC ACCOUNTANCY</b>	<u>\$ 2,928,488</u>	<u>\$ 2,968,204</u>
<b>Method of Financing:</b>		
General Revenue Fund - Consolidated	\$ 2,878,488	\$ 2,918,204
Appropriated Receipts	<u>50,000</u>	<u>50,000</u>
<b>Total, Method of Financing</b>	<u>\$ 2,928,488</u>	<u>\$ 2,968,204</u>
<b>Number of Positions (FTE)</b>	43.0	43.0
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Executive Director, Group 2	\$53,834	\$53,834
Per Diem of Board Members	16,000	16,000

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
2. **Appropriation for Major Cases.** Of amounts appropriated in Strategy B.1.1., Enforcement, \$200,000 is available each year of the biennium to be used only for the payment of services rendered by the Texas Attorney General's Office, for legal counsel, for expert witness fees, for other reasonable and necessary expenditures, and for expenditures of the Texas State Board of Public Accountancy, incurred in connection with the prosecution of "major cases" now pending before the Board or anticipated in the future. "Major cases" involve public accounting firms implicated in the audits of savings and loan organizations, financial institutions, insurance companies, and other cases of a major nature.
3. **Purchase of Examinations.** The amount appropriated above in Strategy A.1.2., Examination, shall be expended solely for the purpose of purchasing and grading of the Uniform CPA Examination from the American Institute of Certified Public Accountants.
4. **Transfer Authority.** Any item of appropriation for the Board of Public Accountancy, with the exception of appropriations for the purchase and grading of examinations and appropriations for the enforcement of major cases, not to exceed twenty-five (25) percent of such item, may be transferred between strategies.

5. **Reimbursement of Advisory Committee Members.** Pursuant to V.T.C.S., Article 6252-33, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following committees:

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**Out of Interagency Contracts:**

To provide Texas state agencies and citizens a fair and efficient administrative hearings process.

95%	95%
85%	85%
90%	90%
20%	20%

Provide timely review and processing of all requests; monitor workloads of Administrative Law Judges (ALJs); and provide client agencies with timely statements of services provided

2,500                      2,500

3 3

Conduct hearings and prepare proposals for decision (PFDs) and proposed orders.

670 670

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
(Continued)

**Efficiencies:**

Hourly Billing Rate	70	70
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**A.3.1. Strategy: ADMINISTRATIVE LICENSE**

REVOCATION	\$ 2,340,246	\$ 2,306,531
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Conduct hearings and prepare orders

**Outputs:**

Number of ALR Hearings Held	37,500	37,500
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**Efficiencies:**

Average Cost per ALR Hearing	66.67	66.67
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**Explanatory:**

Average Annual Caseload per ALJ	1,136	1,136
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<b>Total, Goal A: ADMINISTRATIVE HEARINGS</b>	<b>\$ 3,445,206</b>	<b>\$ 3,381,420</b>
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**Grand Total, STATE OFFICE OF  
ADMINISTRATIVE HEARINGS**

	<u>\$ 3,445,206</u>	<u>\$ 3,381,420</u>
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Number of Positions (FTE)	68.5	68.5
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**Schedule of Exempt Positions**

Chief Administrative Law Judge, Group 3	\$79,568	\$79,568
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1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	<u>1996</u>	<u>1997</u>
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Out of Interagency Contracts:

a. Acquisition of Information Resource Technologies

(1) Purchase of Computers	\$ 66,785	\$ U.B.
(2) Local Area Network	<u>\$ 75,000</u>	<u>\$ U.B.</u>

Total, Capital Budget	<u>\$ 141,785</u>	<u>\$ U.B.</u>
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2. **Interagency Contracts.** In executing interagency contracts with state agencies under the jurisdiction of the State Office of Administrative Hearings, the State Office of Administrative Hearings shall establish procedures which will allow agencies to establish a limitation on the aggregate billable amount for a fiscal year.

## BOARD OF ARCHITECTURAL EXAMINERS

For the Years Ending	
August 31, 1996	August 31, 1997

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: REGISTRATION STANDARDS

To establish and implement quality standards of professional education, internship, and examination for the registration of architects, landscape architects, and interior designers.

##### Outcomes:

Percent of Licensees with No Recent Violations	97%	98%
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##### A.1.1. Strategy: REGISTRATION & RENEWAL

	\$ 737,640	\$ 667,178
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Operate an efficient and comprehensive registration system, including initial registration by examination and reciprocity, and the continuing renewal of current registration.

##### Outputs:

Number of New Licenses Issued to Individuals	517	537
Number of Licenses Renewed (Individuals)	19,320	20,636

##### Efficiencies:

Average Licensing Cost per Individual License Issued	19.66	19.19
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##### Explanatory:

Average Time for Individual License Issuance (Days)	6	6
Average Time for Individual License Renewal (Days)	6	6
Pass Rate (%)	53.5%	53.5%

##### A.1.2. Strategy: PURCHASE/GRADE NAT'L EXAM

	\$ 363,821	\$ 362,177
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Purchase and grade national examinations. Estimated and non-transferable

##### Outputs:

Individuals Examined	1,581	1,644
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##### Total, Goal A: REGISTRATION STANDARDS

	\$ 1,101,461	\$ 1,029,355
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#### B. Goal: EDUCAT'N & ENFORCEMENT

To establish and implement an education/enforcement program to promote compliance with laws and rules; and to swiftly and assertively enforce all laws and rules relating to the practice of the profession of architecture, landscape architecture, and interior design to ensure that the public's health, safety, and property is protected from the irresponsible practice of these professions.

##### Outcomes:

Percent of Registrants Contacted	100%	100%
Percent of Complaints Resulting in Disciplinary Action	95%	99%
Recidivism Rate for Those Receiving Disciplinary Action	.9%	.8%
Percent of Documented Complaints Resolved Within Six Months	93%	95%

**BOARD OF ARCHITECTURAL EXAMINERS**  
(Continued)

<b>B.1.1. Strategy:</b> PUBLIC INFORMATION	\$	60,847	\$	42,154
Provide regular information to building officials of Texas municipalities; professional registrants; and schools of architecture, landscape architecture, and interior design through mailings and representations.				
<b>Outputs:</b>				
Number of Information Bulletins Issued		2		2
<b>Efficiencies:</b>				
Average Cost per Issue of the Information Bulletin		7,931		7,931
<b>B.2.1. Strategy:</b> ENFORCEMENT	\$	156,627	\$	119,518
Promptly act and proactively enforce all laws regulated by the Board of Architectural Examiners.				
<b>Outputs:</b>				
Complaints Resolved		231		243
<b>Efficiencies:</b>				
Average Time for Complaint Resolution		57		57
Average Cost per Investigation		248		248
<b>Explanatory:</b>				
Jurisdictional Complaints Received		248		256
<b>Total, Goal B: EDUCAT'N &amp; ENFORCEMENT</b>	\$	217,474	\$	161,672
<b>Grand Total, BOARD OF ARCHITECTURAL EXAMINERS</b>	\$	1,318,935	\$	1,191,027
<b>Number of Positions (FTE)</b>		15.0		15.0
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>				
Executive Director, Group 2	\$53,469		\$53,469	
Per Diem of Board Members	3,840		3,840	

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	1996	1997
Out of the General Revenue Fund - Consolidated:		
a. Acquisition of Information Resource Technologies		
(1) Personal Computers and Related Software	\$ 52,420	\$ 0
Total, Capital Budget	\$ 52,420	\$ 0

**BOARD OF ARCHITECTURAL EXAMINERS**  
(Continued)

2. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
3. **Fee Rates.** To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to V.T.C.A., Government Code Chapter 316, Sections 316.041-316.045, to be effective during fiscal years 1996-97, beginning September 1, 1995 and September 1, 1996.

	<u>1996</u>		<u>1997</u>	
(1) NCARB Examination Fee	NTE	\$525	NTE	\$525
(2) LARE Examination Fee	NTE	\$540	NTE	\$540
(3) NCIDQ Examination Fee	NTE	\$470	NTE	\$470

4. **Fee Rates.** Any fee rates established or modified by the Board of Architectural Examiners during the 1996-97 biennium, other than those identified in this act, shall be at the discretion of the Board as authorized by statute.
5. **Contingent Revenue.** Out of the appropriations above, the amount of \$548,639 is contingent upon the Board of Architectural Examiners assessing fees sufficient to generate, during the 1996-97 biennium, \$577,454 in excess of the estimate for the Architectural Exam Fund (Account No. 109) contained in the *Biennial Revenue Estimate 1996-97*, Comptroller of Public Accounts, January 10, 1995. The Board of Architectural Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Architectural Examiners minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.



## BOARD OF BARBER EXAMINERS

For the Years Ending	
August 31, 1996	August 31, 1997

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: EXAMINE AND LICENSE

To protect the consumer by ensuring that applicants for licensure receive a prescribed course of study from qualified instructors and that all licensees are informed of changes in the laws and rules governing barbering. To examine and license all qualified individuals.

##### Outcomes:

Percent of Licensees with no Recent Violations	98%	98%
Number of Licensed Individuals Per 10,000 Population	11.3%	11.67%

##### A.1.1. Strategy: LICENSING

	\$ 168,529	\$ 168,529
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Examine and license barbers, specialists, and teachers in Texas

##### Outputs:

Number of New Licenses Issued to Individuals	780	840
Number of Licenses Renewed (Individuals)	5,280	5,340
Individuals Examined	936	960

##### Efficiencies:

Average Licensing Cost per Individual License Issued	11.14	12.48
Average Cost per Exam Administered	27.36	27.36

##### Explanatory:

Total Number of Individuals Licensed	19,662	20,312
Total Number of Business Facilities Licensed	9,616	10,529

#### B. Goal: ENFORCEMENT

To provide timely inspections of barber shops and barber schools; to enforce effectively the rules and regulations set forth and ensure the compliance of barber laws and regulations by the barber shops, specialty shops, schools and individual licensees. Additionally, to resolve complaints and violations on a timely basis for the protection of the consumer.

##### Outcomes:

Recidivism Rate for Those Receiving Disciplinary Action	1%	1%
Percent of Complaints Resolved Resulting in Disciplinary Action	75%	75%

##### B.1.1. Strategy: INVESTIGATIONS

	\$ 353,779	\$ 353,779
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Operate a system of enforcement which includes investigating and resolving complaints and positioning of inspectors in each of the state's enforcement areas.

##### Outputs:

Investigations Conducted	410	410
Complaints Resolved	435	435

##### Efficiencies:

Average Cost per Complaint Resolved	29.93	29.93
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**BOARD OF BARBER EXAMINERS**  
(Continued)

**Explanatory:**

Non-jurisdictional Complaints Received	25	25
Jurisdictional Complaints Received	455	455

<b>Grand Total, BOARD OF BARBER EXAMINERS</b>	<b>\$ <u>522,308</u></b>	<b>\$ <u>522,308</u></b>
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<b>Number of Positions (FTE)</b>	<b>15.0</b>	<b>15.0</b>
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**Schedule of Exempt Positions**

Executive Director, Group 1	\$38,988	\$38,988
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1. **Inspector Qualifications.** It is the intent of the Legislature that one Inspector position shall be filled by an employee possessing the ability to speak, write, and read both Spanish and English, in addition to the usual qualifications required for inspectors.
2. **Board Per Diem.** No funds are included in the above appropriations for the purpose of paying board members travel or per diem for field investigations.
3. **Inspections and Enforcement.** It is the intent of the Legislature that none of the funds appropriated for inspections be expended unless an interagency contract has been signed by the Board of Barber Examiners and the Cosmetology Commission for the purpose of implementing a statewide crossover inspection and enforcement program during the 1996-97 biennium. A copy of the signed contract shall be sent to the Legislative Budget Board, the Governor's Office of Budget and Planning, the Senate Finance Committee, and the House Appropriations Committee.
4. **Fee Rates.** The amounts appropriated above may be expended only if the barber certificate renewal fee is no less than \$70 per renewal period.
5. **Appropriations Limited to Revenue Collection.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

## BOARD OF CHIROPRACTIC EXAMINERS

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund - Consolidated:</b>		
<b>A. Goal: ENSURE PUBLIC PROTECTION</b>		
To pursue the avenues of examination, licensure, and enforcement to insure that only qualified individuals are licensed as Doctors of Chiropractic, and that they are abiding by the laws and rules governing chiropractic in Texas; to guarantee that the public is protected from incompetent services, fraud, and misrepresentation.		
<b>Outcomes:</b>		
Percent of Licensees With No Recent Violations	97.6%	98.7%
Percent of Complaints Resolved Resulting in Disciplinary Action	18%	18%
<b>A.1.1. Strategy: LICENSING</b>	\$ 159,348	\$ 159,348
Operate an efficient, cost-effective, and comprehensive chiropractic certification and licensure system.		
<b>Outputs:</b>		
Individuals Examined	324	350
Number of New Licenses Issued to Individuals	289	317
Number of Licenses Renewed	3,560	3,869
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	34	36
<b>A.2.1. Strategy: ENFORCEMENT</b>	\$ 137,254	\$ 137,254
Operate a system of enforcement which includes investigating and resolving complaints.		
<b>Outputs:</b>		
Complaints Resolved	212	229
<b>Efficiencies:</b>		
Average Cost per Complaint Resolved	303	315
<b>Explanatory:</b>		
Jurisdictional Complaints Received	171	185
Non-jurisdictional Complaints Received	57	61
<b>Total, Goal A: ENSURE PUBLIC PROTECTION</b>	<b>\$ 296,602</b>	<b>\$ 296,602</b>
<b>Grand Total, BOARD OF CHIROPRACTIC EXAMINERS</b>	<b>\$ 296,602</b>	<b>\$ 296,602</b>
<b>Number of Positions (FTE)</b>	<b>6.0</b>	<b>6.0</b>
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Executive Director, Group 1	\$39,140	\$39,140
Per Diem of Board Members	4,050	4,050

**BOARD OF CHIROPRACTIC EXAMINERS**  
(Continued)

- 1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
- 2. **Transfer for Health Professions Council.** Out of funds appropriated above in Strategy A.1.1. Licensing, an amount equal to \$1,579 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Chiropractic Examiners.
- 3. **Contingent Revenue.** Out of appropriations in Strategy A.1.1. Licensing, the amount of \$42,696 is contingent upon the Texas Board of Chiropractic Examiners assessing fees sufficient to generate, during the 1996-97 biennium, \$55,770 in excess of the estimate for revenue from the Chiropractic Examiner Fund Account (Account 140, Object Code 3562) contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995. The Texas Board of Chiropractic Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of Texas Board of Chiropractic Examiners' minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

**COSMETOLOGY COMMISSION**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: LICENSING &amp; ENFORCEMENT</b>		
To protect the public by licensing the cosmetology profession, establishing standards for professional practice, and ensuring swift, fair, and effective enforcement of the statute so that consumers are protected from incompetent services, fraud, and misrepresentation.		
<b>Outcomes:</b>		
Percent of Licensees with no Recent Violations	75%	75%
Recidivism Rate for those Receiving Disciplinary Action	.5%	.5%
Percent of Licensees Aware of Substantive Professional Information Associated With the Agency	75%	75%
<b>A.1.1. Strategy: LICENSING</b>	\$ 525,744	\$ 525,744
Examine applicants and issue individual and establishment licenses.		
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	35,000	35,200
Number of Licenses Renewed (Individuals)	58,000	58,500
Individuals Examined	13,000	13,500

**COSMETOLOGY COMMISSION**  
(Continued)

<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	3.72	3.72
Average Cost per Exam Administered	15	15
<b>Explanatory:</b>		
Total Number of Individuals Licensed	200,000	200,000
Total Number of Business Facilities Licensed	22,000	22,000
 <b>A.2.1. Strategy: ENFORCEMENT</b>		
Enforce laws and rules by conducting inspections and investigations and, upon review of complaints, recommending disciplinary or other action to be taken.	\$ 719,782	\$ 719,782
<b>Outputs:</b>		
Complaints Resolved	950	950
Investigations Conducted	3,000	3,000
<b>Efficiencies:</b>		
Average Cost per Complaint Resolved	21	21
<b>Explanatory:</b>		
Non-jurisdictional Complaints Received	600	600
Jurisdictional Complaints Received	800	800
 <b>A.3.1. Strategy: PUBLIC INFORMATION</b>		
To distribute information to the general public and the cosmetology community.	\$ 189,156	\$ 189,156
<b>Outputs:</b>		
Number of Establishments Receiving Information	20,000	25,000
<b>Total, Goal A: LICENSING &amp; ENFORCEMENT</b>	<b>\$ 1,434,682</b>	<b>\$ 1,434,682</b>
<b>Grand Total, COSMETOLOGY COMMISSION</b>	<b>\$ 1,434,682</b>	<b>\$ 1,434,682</b>
 <b>Method of Financing:</b>		
General Revenue Fund	\$ 1,354,682	\$ 1,354,682
Appropriated Receipts	80,000	80,000
<b>Total, Method of Financing</b>	<b>\$ 1,434,682</b>	<b>\$ 1,434,682</b>
 <b>Number of Positions (FTE)</b>	 41.0	 41.0
 <b>Schedule of Exempt Positions and Per Diem of Commission Members</b>		
Executive Director, Group 1	\$44,558	\$44,558
Per Diem of Commission Members	4,000	4,000

1. **Reimbursement of Travel Expense.** None of the funds appropriated hereinabove may be expended to reimburse the travel expense of any member or director of such commission for out-of-state travel in excess of two out-of-state trips per year each.
2. **Per Diem Limitations.** Out of the appropriations above for per diem and travel, no one commissioner may expend for travel expenses during any fiscal year more than twenty-eight hundred dollars (\$2,800). The Cosmetology Commission is authorized to pay travel expenses for ex-officio members of the Commission.

## COSMETOLOGY COMMISSION

(Continued)

3. **Inspections and Enforcement.** It is the intent of the Legislature that none of the funds appropriated for inspections be expended unless an interagency contract has been signed by the Board of Barber Examiners and the Cosmetology Commission for the purpose of implementing a statewide crossover inspection and enforcement program during the 1996-97 biennium. A copy of the signed contract shall be sent to the Legislative Budget Board, the Governor's Office of Budget and Planning, the Senate Finance Committee, and the House Appropriations Committee.
4. **Appropriations Limited to Revenue Collection.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
5. **Contingent Revenue.** Out of appropriations in Strategy A.2.1. Enforcement, the amount of \$87,652 is contingent upon the Cosmetology Commission assessing fees sufficient to generate, during the 1996-97 biennium, \$109,932 in excess of the estimate for the Cosmetology Commission, (Account 001, Object Code 3175) contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995. The Cosmetology Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of Commission minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

## CREDIT UNION DEPARTMENT

For the Years Ending	
August 31, 1996	August 31, 1997

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: EFFECTIVE REGULATION

To effectively regulate all credit unions promulgating reasonable rules fostering the security of the membership's savings and deposits, and building the public's confidence in the credit union system.

#### Outcomes:

Percentage of Rule Changes Provided to Credit Unions Within 60 Days After Adoption	100%	100%
Percentage of Complaints Investigated and Responded to Within 30 Days of Receipt	98%	98%
Percentage of Credit Unions Initiating Community Development Activities or Services to Low Income or Underserved Populations.	5%	5%

**CREDIT UNION DEPARTMENT**  
(Continued)

<b>A.1.1. Strategy:</b> REGULATION	\$	53,528	\$	53,528
Conduct quarterly and special meetings of the commission. Evaluate the Texas Credit Union Act and promulgate those rules necessary to implement the Act. Evaluate the business and financial practices of the credit union industry.				
<b>A.2.1. Strategy:</b> MONITORING & SUPERVISION	\$	123,760	\$	95,314
Effectively monitor and supervise credit unions doing and/or wishing to do business in the State of Texas.				
<b>Outputs:</b>				
Number of Charter Applications Processed		3		3
Number of Foreign Branch Office Applications Processed		1		1
Number of Charter Conversions, Mergers or Liquidations, and Cancellations Processed		4		4
Number of Complaints Processed		30		30
Number of On-site Contacts for Examination or Supervision of Community Development/Special Needs Credit Unions		12		12
<b>Efficiencies:</b>				
Average Cost per Complaint Processed		50		50
<b>A.3.1. Strategy:</b> DIRECTED MEDIATION & ADJUDICATION	\$	15,876	\$	15,877
Provide for directed mediation of possible contested cases.				
<b>Outputs:</b>				
Number of Contested Cases Referred to State Office of Administrative Hearings		2		2
<b>Efficiencies:</b>				
Average Total Cost per Administrative Hearing		4,100		4,100
<b>Total, Goal A: EFFECTIVE REGULATION</b>	\$	<u>193,164</u>	\$	<u>164,719</u>
<b>B. Goal: EFFECTIVE SUPERVISION</b>				
To administer impartial, dynamic, and effective supervision of credit unions for the protection of the interests, shares, and deposits of the credit unions and their members.				
<b>B.1.1. Strategy:</b> COMPREHENSIVE EXAMINATION	\$	<u>1,075,876</u>	\$	<u>1,081,856</u>
Perform cost-effective comprehensive annual examinations on all credit unions with remedial/follow-up contacts as necessary.				
<b>Outputs:</b>				
Number of Regular Examinations Performed		273		252
Number of Other Enforcement Actions Issued		4		4
Number of Reconciliation/Mediation Meetings Held		10		10
<b>Grand Total, CREDIT UNION DEPARTMENT</b>	\$	<u>1,269,040</u>	\$	<u>1,246,575</u>
<b>Number of Positions (FTE)</b>		26.0		26.0
<b>Schedule of Exempt Positions and Per Diem of Commission Members</b>				
Commissioner, Group 3		\$80,661		\$80,661
Per Diem of Commission Members		540		540

## CREDIT UNION DEPARTMENT (Continued)

1. **Appropriation: Proceeding Receipts.** There is hereby appropriated to the Credit Union Department all monies received as incidental or necessary to the implementation of Supervision or Conservatorship Proceedings authorized under Article 2461-1, Section 10.01, Texas Credit Union Act of 1975, as amended. Such monies may be expended by the department to pay costs incidental to such proceedings, including, but not limited to, the salary and per diem expenses of the appointed supervisor or conservator.
2. **Appropriation: Educational Receipts.** There is hereby appropriated to the Credit Union Department all monies received as incidental or necessary to attending graduate schools of banking, seminars, conferences or any other training or educational activity considered by the commissioner to be to the benefit of the department. The Texas Credit Union Department is also authorized to accept funds for reimbursement from the National Credit Union Share Insurance Fund, or any other insurer, for costs incidental or necessary to examination and supervision of credit unions.
3. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

## BOARD OF DENTAL EXAMINERS

For the Years Ending	
August 31, 1996	August 31, 1997
<hr/>	<hr/>

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: QUALITY DENTAL CARE

To ensure quality dental care for the people of Texas

##### Outcomes:

Percent of Complaints Resulting in Disciplinary Action	15%	15%
Percent of Licensees With No Recent Violations	98%	98%
Percent of Individuals Passing Examination for the First Time	75%	75%
Success Rate for Participants in Peer Assistance Program	67%	67%

##### A.1.1. Strategy: COMPLAINT RESOLUTION

	\$	581,165	\$	581,165
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Conduct enforcement and compliance functions including: investigating all complaints; prosecuting those complaints through informal or formal disciplinary means; pursuing compliance with disciplinary actions and conditions; and, interacting with the public and profession on matters of law and rules.

##### Outputs:

Complaints Resolved	600	600
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**BOARD OF DENTAL EXAMINERS**  
(Continued)

**Efficiencies:**

Average Cost per Complaint Resolved	325	325
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**Explanatory:**

Non-Jurisdictional Complaints Received	30	30
Jurisdictional Complaints Received	570	570

<b>A.2.1. Strategy: LICENSURE &amp; REGISTRATION</b>	\$ 232,390	\$ 225,770
Operate an efficient licensure and registration system for dentists and certain other dental health care workers.		

**Outputs:**

Total Number of New Licenses Issued to Individuals	1,000	1,000
Number of Licenses Renewed	19,313	20,223

**Efficiencies:**

Average Licensing Cost for Individual License	7.5	7.5
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<b>A.3.1. Strategy: EXAMINATIONS</b>	\$ 200,756	\$ 192,756
Operate a comprehensive and efficient system of administering and evaluating dental and dental hygiene examinations.		

**Outputs:**

Individuals Examined	800	800
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**Efficiencies:**

Average Cost per Exam Administered	300	300
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<b>A.4.1. Strategy: PEER ASSISTANCE</b>	\$ 133,600	\$ 133,600
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**Outputs:**

People Served	75	75
People Expected to Successfully Complete Program	45	45

<b>Total, Goal A: QUALITY DENTAL CARE</b>	\$ 1,147,911	\$ 1,133,291
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<b>Grand Total, BOARD OF DENTAL EXAMINERS</b>	\$ 1,147,911	\$ 1,133,291
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<b>Number of Positions (FTE)</b>	23.0	23.0
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**Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 2	\$54,770	\$54,770
Per Diem of Board Members	21,840	21,840

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including any other direct operating costs and employee matching costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

2. **Transfer for Health Professions Council.** Funds appropriated above in Strategy A.1.1. Complaint Resolution, an amount equal to \$4,809 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Dental Examiners.

**BOARD OF DENTAL EXAMINERS**  
(Continued)

3. **Reimbursement of Advisory Committee Members.** Pursuant to V.T.C.S. Article 6252-33, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following advisory committees:
- a. Dental Hygiene Advisory Committee
  - b. Dental Laboratory Certification Council

**BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund - Consolidated:</b>		
<b>A. Goal: COMPETENT LICENSEES</b>		
To assure that engineering in Texas is practiced only by qualified and competent Texas licensees.		
<b>A.1.1. Strategy:</b> REGISTRATION & EVALUATION	\$ 597,374	\$ 595,874
Provide registration assistance, review and evaluate all applications for registration, administer examinations, and register those found to be qualified.		
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	1,250	1,400
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	22	24
Average Cost per Exam Administered	25	25
<b>Explanatory:</b>		
Total Number of Individuals Licensed	48,000	48,000
<b>A.1.2. Strategy:</b> PURCHASE/GRADE EXAMS	\$ 180,150	\$ 180,150
Purchase and grade the engineering examinations provided by the National Council of Examiners for Engineering and Surveying (NCEES) required for registration. Estimated and non-transferable		
<b>Outputs:</b>		
Individuals Examined	5,425	5,425
<b>A.1.3. Strategy:</b> REGISTRY SERVICES	\$ 270,643	\$ 360,643
Maintain an up-to-date registry and provide timely information to registrants regarding the law and board rules.		
<b>Explanatory:</b>		
Average Time for Individual License Renewal (Days)	3	3
<b>Total, Goal A: COMPETENT LICENSEES</b>	<u>\$ 1,048,167</u>	<u>\$ 1,136,667</u>

# **BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS** (Continued)

## **B. Goal: ENFORCE ENGINEERING ACT**

To ensure swift, fair, and effective enforcement of the Texas Engineering Practice Act to protect the health, safety, and welfare of the people of Texas.

### **Outcomes:**

Percent of Complaints Resulting in Disciplinary Action	8%	8%
Percent of Documented Complaints Resolved Within Six Months	40%	40%

### **B.1.1. Strategy: ENFORCEMENT**

Investigate and reach final resolution of reported violations of the Texas Engineering Practice Act.

### **Outputs:**

Complaints Resolved	140	140
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### **Efficiencies:**

Average Time for Complaint Resolution (Days)	75	75
Average Cost per Complaint Investigation	218	218

### **Explanatory:**

Jurisdictional Complaints Received	200	200
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### **Grand Total, BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS**

\$	<u>237,608</u>	\$	<u>237,608</u>
\$	<u>1,285,775</u>	\$	<u>1,374,275</u>

<b>Number of Positions (FTE)</b>	23.5	23.5
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### **Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 2	\$60,516	\$60,516
Per Diem of Board Members	6,500	6,500

- Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
- Continuing Education.** Funds for the Continuing Education program shall be used solely for the purpose of developing and administering the program. Any costs associated with registration or participation in continuing education activities shall be borne by individual registrants or their employer.
- Contingent Revenue.** Out of appropriations in Strategy A.1.1., Registration & Evaluation, the amount of \$93,764 is contingent upon the Board of Registration for Professional Engineers assessing fees sufficient to generate, during the 1996-97 biennium, \$111,909 in excess of the estimate for the Professional Engineers Fund (Account 056, Object Code 3175, Professional Fees) contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995. The Board of Registration for Professional Engineers, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Registration for Professional Engineers minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information

**BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS**  
(Continued)

sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

4. **Contingency Appropriation for Senate Bill 784.** Contingent upon the enactment of Senate Bill 784, or similar legislation relating to administrative penalties for practicing engineers by the Seventy-fourth Legislature, Regular Session, the Board of Registration for Professional Engineers is hereby appropriated \$22,000 for fiscal year 1996 and \$22,000 for fiscal year 1997 out of General Revenue Fund - Consolidated, Account No. 056, for the purpose of implementing that Act. The Board of Registration for Professional Engineers is hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above.

**FINANCE COMMISSION OF TEXAS**

		For the Years Ending	
		August 31,	August 31,
		1996	1997
<b>Out of the General Revenue Fund - Consolidated:</b>			
<b>A. Goal: INSURE SAFETY &amp; SOUNDNESS</b>			
To insure that the regulated financial institutions operate in a safe and sound manner and comply with all applicable state laws.			
<b>A.1.1. Strategy:</b> DEPARTMENTAL OVERSIGHT	\$	9,895	\$ 9,895
Provide oversight of departmental operations			
<b>Outputs:</b>			
Number of Meetings Convened		6	6
<b>Grand Total, FINANCE COMMISSION OF TEXAS</b>	<b>\$</b>	<b>9,895</b>	<b>\$ 9,895</b>
<b>Schedule of Exempt Positions and Per Diem of Commission Members</b>			
Per Diem of Commission Members		\$2,160	\$2,160

DEPARTMENT OF BANKING

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: EFFECTIVE REGULATION</b>		
To ensure timely, fair, and effective supervision and regulation of the financial institutions and other licensees under our jurisdiction in order to promote a stable banking and financial environment and provide the public with convenient, safe, and competitive financial services.		
<b>Outcomes:</b>		
Percentage of Banks Receiving Annual Examinations	95%	95%
Percentage of Trust Companies Receiving Annual Examinations	92%	92%
Percentage of Currency Exchange Licensees Examined Annually	80%	80%
Percentage of Prepaid Funeral Contract Licensees Examined Annually	95%	95%
Percentage of Applications Processed Within Statutory Time Periods	90%	85%
 <b>A.1.1. Strategy: BANK EXAMINATION</b>		
	\$ 7,225,002	\$ 6,362,044
Conduct annual commercial bank, trust company and foreign bank agency examinations, in conjunction with federal regulatory entities when appropriate. Organize a commercial bank division management task force to facilitate the successful completion of the accreditation process. Pursue pending litigation related to close institutions and file trust asset status reports with the appropriate courts and all claimants for failed trust companies.		
<b>Outputs:</b>		
Number of Commercial Bank Examinations Performed	280	275
Number of Trust Company, Trust Department, and EDP Examinations Performed.	250	250
<b>Efficiencies:</b>		
Average Cost Per Bank Examination	20,115	20,113
 <b>A.2.1. Strategy: NON-BANK EXAMINATION</b>		
	\$ 1,056,359	\$ 886,135
Perform examinations based on examination priorities in coordination with state and federal regulatory and law enforcement agencies; monitor examination schedules and results to ensure exams are being performed within examination priority parameters; develop a formal rating system to identify risk factors; and coordinate with Legal Division to issue appropriate enforcement actions.		
<b>Outputs:</b>		
Number of Licensees Examined	880	880
<b>Efficiencies:</b>		
Average Direct Cost per Prepaid Funeral Contract Licensee Examination	860	885

**DEPARTMENT OF BANKING**  
(Continued)

<b>A.3.1. Strategy:</b> INDUSTRY ANALYSIS	\$	307,883	\$	270,388
Create an industry analysis/examination research and development team to develop an early warning system; identify and test new examination and off-site monitoring procedures which will increase efficiency; improve examination quality, or enhance early problem detection; and research and report on new regulatory responses to changing economic conditions and industry changes.				
<b>Efficiencies:</b>				
Increase in productivity (examiner days saved) directly resulting from new procedures developed		3%		3%
Number of leading indicators identified		4		4
<b>A.4.1. Strategy:</b> APPLICATION PROCESSING	\$	354,815	\$	354,815
Enhance current systems through the automation of applications and request processing by the efficient utilization of computer and other technologies; development of a Corporate Applications Filing and Procedures Guide; process applications and information requests in a timely manner.				
<b>Outputs:</b>				
Number of Applications Processed		375		425
<b>Total, Goal A: EFFECTIVE REGULATION</b>	\$	8,944,059	\$	7,873,382
<b>B. Goal:</b> INDIRECT ADMINISTRATION				
<b>B.1.1. Strategy:</b> INDIRECT ADMINISTRATION	\$	1,924,061	\$	1,994,738
<b>Grand Total, DEPARTMENT OF BANKING</b>	\$	10,868,120	\$	9,868,120
<b>Method of Financing:</b>				
General Revenue Fund - Consolidated	\$	10,681,267	\$	9,676,363
Federal Funds		186,853		191,757
<b>Total, Method of Financing</b>	\$	10,868,120	\$	9,868,120
<b>Number of Positions (FTE)</b>		194.5		194.5
<b>Schedule of Exempt Positions</b>				
Commissioner, Group 4		\$97,072		\$97,072

- Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

**DEPARTMENT OF BANKING**  
(Continued)

	<u>1996</u>	<u>1997</u>
Out of the General Revenue Fund - Consolidated:		
a. Repairs or Rehabilitation of Buildings and Facilities		
(1) Structural Repairs to the Finance Commission Building	\$ 1,000,000	\$ U.B.
b. Acquisition of Information Resource Technologies		
(1) Purchase Computer Equipment	<u>\$ 141,270</u>	<u>\$ 45,310</u>
Total, Capital Budget	<u>\$ 1,141,270</u>	<u>\$ 45,310</u>

2. **Appropriation of Receipts.** There is hereby appropriated to the Department of Banking all monies received as incidental or necessary to the implementation of Supervision or Conservatorship Proceedings authorized under Article 1, Chapter 8, Texas Banking Code. Such monies may be expended by the department to pay costs incidental to such proceedings, including, but not limited to, the salary and per diem expenses of the appointed supervisor or conservator.
3. **Contingency Appropriation: State Regulatory Response.**
- a. Contingent upon a finding of fact by the Finance Commission that the number of exams required for the state-chartered commercial banking industry under the jurisdiction of the Department of Banking, determined either as a function of assets, number of institutions, or relative proportion of problem banks or problem bank assets in the state system, increases to a point where additional appropriations are required to maintain adequate regulation of the industry, the Department of Banking is hereby appropriated out of the General Revenue Fund-Consolidated an amount not to exceed \$1,899,398 for fiscal year 1996 and \$1,849,651 for fiscal year 1997.
  - b. Contingent upon a reduction of federal regulatory resources applied to the Texas state-chartered commercial banking industry, determined as a function of assets, the Department of Banking is hereby appropriated out of the General Revenue Fund-Consolidated an amount not to exceed \$3,273,180 for fiscal year 1996 and \$3,198,380 for fiscal year 1997.
  - c. None of the funds appropriated in items 3(a) or 3(b) above may be expended by the Department of Banking unless the Finance Commission files a finding of fact with the Governor's Office of Budget and Planning and the Legislative Budget Board and neither the Governor's Office of Budget and Planning nor the Legislative Budget Board issues a written disapproval within 30 days of the receipt of the finding of fact.
  - d. The appropriations in items 3(a) and 3(b) are also contingent upon the Department of Banking generating sufficient additional fee revenues to cover these contingency appropriations and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriation. These increased revenues must be above the current amounts estimated to be collected as listed in the *Biennial Revenue Estimate 1996-97 Biennium*, Comptroller of Public Accounts, January 10, 1995.

**DEPARTMENT OF BANKING**  
(Continued)

4. **Appropriation of Federal Funds.** The Department of Banking is hereby authorized to receive from the federal government any grants that may be allocated to the Department for the purpose of participation in the High Intensity Drug Trafficking Area (HIDTA) program or any other program related to the administration or enforcement of the Currency Exchange Act (Article 350, Vernon's Texas Civil Statutes). Any such funds so allocated or granted to the Department of Banking are hereby appropriated to the Department for the purposes specified in the grant.
5. **Subject to Article 342-201 Salary Provisions.** With respect to the funds appropriated herein, the Finance Commission, subject to the limits provided by Article 342-201 of the Texas Banking Code, or successor provisions of the Texas Banking Code, shall determine the number of employees of the Banking Department in exempt positions and the salaries of those employees. The Banking Department may use funds appropriated to pay the salaries determined by the Finance Commission of Texas.
6. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
7. **Transfer Authority.** Notwithstanding any other provision in this Act, the Department of Banking is hereby authorized to transfer appropriations contained in this Act from one appropriation item to another appropriation item in amounts not to exceed 35 percent for the fiscal year, at the discretion of the Department of Banking's chief administrative officer.
8. **Contingency Appropriation: Structural Repairs.** Out of the funds appropriated above, the amount of \$1,000,000 for structural repairs to the Finance Commission Building is contingent upon the Texas Department of Banking assessing fees sufficient to generate, during the 1996-97 biennium, \$1,000,000 in excess of the estimate for General Revenue-Consolidated Banking Department Expense Fund (Account No. 508, Object Code 3172, Financial Institution Regulation Fees and Object Code 3175, Professional Fees) contained in the *Biennial Revenue Estimate* 1996-97 biennium, Comptroller of Public Accounts, January 10, 1995. The Texas Department of Banking, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Finance Commission minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.



# OFFICE OF CONSUMER CREDIT COMMISSIONER

For the Years Ending  
August 31, August 31,  
1996 1997

## Out of the General Revenue Fund - Consolidated:

### A. Goal: EFFECTIVE ENFORCEMENT

To ensure prompt, fair, and effective enforcement of appropriate state and federal statutes and regulations so that consumers are protected from abusive and deceptive practices, fraud, and misrepresentation.

#### Outcomes:

Percent of Complaints Resolved Within Seven Days 99% 99%

#### A.1.1. Strategy: COMPLAINT RESOLUTION

\$ 187,568 \$ 173,854

Resolve consumer complaints expeditiously and identify problem creditors and industry practices, and advise creditors and industry through information bulletins as a preventive measure.

#### Outputs:

Number of Complaints Processed 8,500 8,500  
Number of Field Investigations Initiated 90 90

### B. Goal: CONSUMER PROTECTION

To provide a quality program of consumer protection and licensure that ensures high standards for licensed credit providers and efficiently serves the market demand for fair but competitive consumer credit.

#### Outcomes:

Monies Returned to Consumers From Licensed Lenders 340,500 353,000

#### B.1.1. Strategy: EXAMINATION & ENFORCEMENT

\$ 756,049 \$ 676,769

Examine regulated lenders and pawnshops to determine the level of compliance with appropriate statutes and regulations and initiate administrative enforcement action against licensees who commit serious violations.

#### Outputs:

Number of Examinations of Regulated Lenders Performed 846 916  
Number of Examinations of Pawnshops Performed 794 839

#### Efficiencies:

Average Cost per Pawnshop Examination 392 394  
Average Cost per Regulated Lender Examination 798 801

#### Explanatory:

Number of Lender Self-Examination Procedures Performed 5 5

#### B.2.1. Strategy: LICENSING INVESTIGATION

\$ 263,184 \$ 237,990

Investigate and process applications for regulated loan, pawnshop, and pawnshop employee licenses. Continue efforts to identify unregistered creditors and achieve compliance with registration requirements.

#### Outputs:

Number of Unregistered Creditors Identified 9,870 13,800

#### Efficiencies:

Average Cost per Application Processed 133 133

**OFFICE OF CONSUMER CREDIT COMMISSIONER**  
(Continued)

<b>Explanatory:</b>		
Number of Registered Creditors	21,803	25,945
<b>Total, Goal B: CONSUMER PROTECTION</b>	<b>\$ 1,019,233</b>	<b>\$ 914,759</b>
<b>C. Goal: CREDIT EDUCATION</b>		
To educate consumers and credit providers about their rights, remedies and responsibilities, and to encourage communication and cooperation between the credit industry, the consumer public, and the agency.		
<b>Outcomes:</b>		
Percentage of Texans Reached Through Public Service Announcements, Press Releases, and Distribution of Pamphlets	10%	10%
<b>C.1.1. Strategy: CONSUMER EDUCATION</b>	<b>\$ 50,770</b>	<b>\$ 45,850</b>
Continue establishment of a formal education program to include public service announcements, press releases, and general information brochures made available through credit grantors and trade organizations.		
<b>Outputs:</b>		
Number of Consumers Receiving In-Person Services	10,000	10,000
<b>Efficiencies:</b>		
Average Cost per Consumer Reached With Credit Information	.03	.03
<b>D. Goal: INDIRECT ADMINISTRATION</b>		
<b>D.1.1. Strategy: INDIRECT ADMINISTRATION</b>	<b>\$ 392,467</b>	<b>\$ 393,342</b>
<b>Grand Total, OFFICE OF CONSUMER CREDIT COMMISSIONER</b>	<b>\$ 1,650,038</b>	<b>\$ 1,527,805</b>
<b>Number of Positions (FTE)</b>	<b>29.5</b>	<b>29.5</b>
<b>Schedule of Exempt Positions</b>		
Commissioner, Group 2	\$76,915	\$76,915

- Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

**OFFICE OF CONSUMER CREDIT COMMISSIONER**  
(Continued)

	<u>1996</u>	<u>1997</u>
Out of the General Revenue Fund - Consolidated:		
a. Repairs or Rehabilitation of Buildings and Facilities		
(1) Structural Repairs to the Finance Commission Building	\$ 123,000	\$ U.B.
Total, Capital Budget	<u>\$ 123,000</u>	<u>\$ U.B.</u>

2. **Appropriation: Criminal Record Check Receipts.** All receipts collected pursuant to V.T.C.S., Article 5069-2.02A are hereby appropriated to the Office of Consumer Credit Commissioner in Strategy B.2.1, Licensing Investigation, and are estimated to be \$104,000 each year of the biennium. These funds shall be used for the sole purpose of acquiring criminal record checks from the Department of Public Safety, Federal Bureau of Investigation, or other law enforcement agency.
3. **Subject to Article 5069-2.02 Salary Provisions.** With respect to the funds appropriated herein, the Finance Commission, subject to the limits provided by Article 5069-2.02 of the Texas Credit Code, or successor provisions, shall determine the number of employees of the Office of Consumer Credit Commissioner (OCCC) in exempt positions and the salaries of those employees. The OCCC may use funds appropriated to pay the salaries determined by the Finance Commission of Texas.
4. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
5. **Transfer Authority.** Notwithstanding any other provision in this Act, the Office of Consumer Credit Commissioner is hereby authorized to transfer appropriations contained in this Act from one appropriation item to another appropriation item in amounts not to exceed 35 percent for the fiscal year, at the discretion of the Office of Consumer Credit Commissioner's chief administrative officer.
6. **Contingent Revenue: Structural Repairs.** Out of Appropriations above, the amount of \$123,000 is contingent upon the Office of Consumer Credit Commissioner assessing fees sufficient to generate, during the 1996-97 biennium, \$123,000 in excess of the estimate for the Consumer Credit Commissioner Expense Fund (Account No. 509, Object Code 3172, Financial Institution Regulation Fees) contained in the *Biennial Revenue Estimate 1996-97*, Comptroller of Public Accounts, January 10, 1995. The Office of Consumer Credit Commissioner, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Finance Commission minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

OFFICE OF CONSUMER CREDIT COMMISSIONER  
(Continued)

7. **Contingent Revenue.** Out of appropriations above, the amount of \$437,535 is contingent upon the Office of Consumer Credit Commissioner assessing fees sufficient to generate, during the 1996-97 biennium, \$610,000 in excess of the estimate for the Consumer Credit Commissioner Expense Fund (Account No. 509, Object Code 3172, Financial Institution Regulation Fees) contained in the *Biennial Revenue Estimate 1996-97*, Comptroller of Public Accounts, January 10, 1995. The Office of Consumer Credit Commissioner, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Finance Commission minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

SAVINGS AND LOAN DEPARTMENT

		For the Years Ending	
		August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund - Consolidated:</b>			
<b>A. Goal: SAFETY AND SOUNDNESS</b>			
To aggressively enforce safety and soundness standards in the industry and compliance.			
<b>Outcomes:</b>			
Percent of State-Chartered S&Ls and Savings Banks Receiving Annual Examinations		100%	100%
<b>A.1.1. Strategy: EXAMINATION &amp; SUPERVISION</b>		\$ 831,965	\$ 708,966
Perform full and limited scope examinations and participate with federal regulators in examinations according to defined schedule; monitor examinations conducted by state and federal regulators; maintain supervisory profile for each S&L and savings bank; maintain database of persons who have been the subject of criminal referrals.			
<b>Outputs:</b>			
Number of Independent Full Scope Examinations Performed		5	5
Number of Joint Full Scope Examinations Performed		38	38
<b>Efficiencies:</b>			
Average Cost per Examination Performed		20,306	20,306
<b>Explanatory:</b>			
Number of State-Chartered S&Ls and Savings Banks		40	40
Dollar Amount of Assets Under Regulation (in Billions)		25	27
<b>B. Goal: PROTECT DEPOSITORS</b>			
To aggressively work to resolve supervisory problems in the state-chartered thrift industry in Texas in a manner that is constructive and maintains the interest of depositors and creditors of these institutions as paramount.			
<b>Outcomes:</b>			

# SAVINGS AND LOAN DEPARTMENT

(Continued)

Percent of Problem S&Ls and Savings Banks	5%	3%
<b>B.1.1. Strategy:</b> FINANCIAL MONITORING	\$ 101,159	\$ 101,160
Identify and investigate areas of unusual activity or negative financial indicators such as declining capital, increasing classified assets, and operating losses.		
<b>Efficiencies:</b>		
Average Time (in Days) to Complete Analysis of Quarterly Financial Data	15	15
<b>B.1.2. Strategy:</b> ENFORCEMENT	\$ 136,418	\$ 136,418
Determine and institute appropriate regulatory responses to resolve supervisory problems in state-chartered institutions, including informal agreements and formal enforcement action such as a cease and desist order or conservatorship. Coordinate regulatory response with federal regulators.		
<b>Efficiencies:</b>		
Average Time (in Days) Between Identification of Problem and Initiation of Regulatory Action	10	10
<b>Total, Goal B: PROTECT DEPOSITORS</b>	<b>\$ 237,577</b>	<b>\$ 237,578</b>
<b>C. Goal: IMPROVE INQUIRY RESPONSE</b>		
To improve the department's responsiveness to inquiries from the industry, citizens of the State, the State's elected officials, and other state and federal governmental entities.		
<b>Outcomes:</b>		
Percentage of Applications Receiving Final Action Within Statutory Time Frames	100%	100%
Percentage of Complaints Answered Within 10 Business Days	100%	100%
<b>C.1.1. Strategy:</b> APPLICATION PROCESSING	\$ 67,493	\$ 67,493
Process applications for new charters, new branch offices or office relocations, name changes, subsidiary investments, and agency offices, including scheduling of hearings, if required.		
<b>Outputs:</b>		
Number of Applications Processed	55	60
<b>C.1.2. Strategy:</b> COMPLAINT RESOLUTION	\$ 44,917	\$ 44,917
Provide a forum for registering complaints and take appropriate action when warranted.		
<b>Outputs:</b>		
Number of Consumer Complaints Processed	130	140
<b>Efficiencies:</b>		
Average Cost per Consumer Complaint Processed	400	400
<b>Total, Goal C: IMPROVE INQUIRY RESPONSE</b>	<b>\$ 112,410</b>	<b>\$ 112,410</b>

# SAVINGS AND LOAN DEPARTMENT

(Continued)

## D. Goal: INDIRECT ADMINISTRATION

D.1.1. Strategy: INDIRECT ADMINISTRATION \$ 120,849 \$ 120,849

Grand Total, SAVINGS AND LOAN DEPARTMENT \$ 1,302,801 \$ 1,179,803

Number of Positions (FTE) 22.5 22.5

## Schedule of Exempt Positions

Commissioner, Group 3 \$89,116 \$89,116

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

1996 1997

## Out of the General Revenue Fund - Consolidated:

### a. Repairs or Rehabilitation of Buildings and Facilities

(1) Structural Repairs to the Finance Commission Building \$ 123,000 \$ U.B.

Total, Capital Budget \$ 123,000 \$ U.B.

2. **Appropriation of Receipts.** There is hereby appropriated to the Texas Savings and Loan Department all monies received as incidental or necessary to the implementation of authorized supervision and conservatorship proceedings authorized by Chapter 8 of the Texas Savings and Loan Act (V.T.C.S. Article 852a). Such monies may be expended by the department to pay costs incidental to such proceedings, including, but not limited to, the salary and per diem expenses of the appointed supervisory agent.
3. **Federal Per Diem Authorized.** Financial Institutions Examiners employed by the Savings and Loan Department, when (1) traveling on official state business related to the examining function of the Savings and Loan Department and (2) participating in a joint examination with the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, or their successors, shall be authorized reimbursement for travel expenses at a rate of per diem equal to that of the participating federal regulatory agency.
4. **Subject to Article 342-205 Salary Provisions.** With respect to the funds appropriated herein, the Finance Commission, subject to the limits provided by Article 342-205 of the Texas Banking Code, or successor provisions, shall determine the number of employees of the Savings and Loan Department in exempt positions and the salaries of those employees. The Savings and Loan Department may use funds appropriated to pay the salaries determined by the Finance Commission of Texas.

## SAVINGS AND LOAN DEPARTMENT (Continued)

### 5. Contingency Appropriation: Regulatory Response.

- a. Contingent upon a finding of fact by the Finance Commission that either:
  - i. the size of the state-chartered thrift industry under the jurisdiction of the Savings and Loan Department, determined either as a function of assets or number of institutions, has grown to a point where additional appropriations are deemed necessary to maintain adequate regulation of the industry; or
  - ii. increased incidents of regulatory and supervisory concern regarding the safe and sound operations of thrift institutions under the department's jurisdiction have occurred to the extent that additional appropriations are deemed necessary to maintain adequate regulation of the industry; or
  - iii. a reduction of federal regulatory resources applied to the Texas state-chartered thrift industry by the Office of Thrift Supervision, the Federal Deposit Insurance Corporation or their successors, has occurred to the extent that additional appropriations are deemed necessary to maintain adequate regulation of the industry;

the following amounts, or any part thereof as found to be necessary by the Finance Commission, are hereby appropriated to the Texas Savings and Loan Department out of the General Revenue Fund-Consolidated an amount not to exceed \$733,000 for fiscal year 1996 and an amount not to exceed \$1,213,000 for fiscal year 1997.

- b. None of the funds appropriated pursuant to this provision may be expended by the Texas Savings and Loan Department unless:
  - i. the Finance Commission files a written copy of the finding of fact, referenced in subsection (a) above, with the Governor's Office and the Legislative Budget Board; and
  - ii. neither the Governor's Office nor the Legislative Budget Board issues a written disapproval within 30 days of the receipt of the finding of fact.
  - iii. The appropriations in item 5(a) are also contingent upon the Department generating sufficient additional fee revenues to cover these contingency appropriations and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues will be available to fund the increased appropriations. These increased revenues must be above the current amounts estimated to be collected as listed in the *Biennial Revenue Estimate 1996-97*, Comptroller of Public Accounts, January 10, 1995.

6. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

7. **Transfer Authority.** The Texas Savings and Loan Department is hereby authorized to transfer an amount not to exceed 35 percent per fiscal year between appropriation items. Transfer between strategies must have prior approval of the Finance Commission of Texas.

**SAVINGS AND LOAN DEPARTMENT**  
(Continued)

8. **Contingent Revenue: Structural Repairs.** Out of appropriations above, the amount of \$123,000 is contingent upon the Savings and Loan Department assessing fees sufficient to generate, during the 1996-97 biennium \$123,000 in excess of the estimate for the Savings and Loan Department Expense Fund (Account No. 511, Object Code 3172, Financial Institution Regulation Fees) contained in the *Biennial Revenue Estimate 1996-97*, Comptroller of Public Accounts, January 10, 1995. The Savings and Loan Department, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Finance Commission minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

**FUNERAL SERVICE COMMISSION**

For the Years Ending	
August 31,	August 31,
1996	1997

**Out of the General Revenue Fund:**

**A. Goal: COMPETENT LICENSEES**

To manage a program of examination and licensure that ensures the development of competent funeral professionals with high standards of professional and ethical conduct.

**Outcomes:**

Percent of Licensees with no Recent Violations	95%	95%
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**A.1.1. Strategy:** LICENSING REQUIREMENTS  
Issue and renew licenses, manage a provisional licensing program and monitor continuing education requirements.

**Outputs:**

Number of New Licenses Issued to Individuals	137	137
Number of Individual Licenses Renewed	2,085	2,085
Number of New Licenses Issued to Facilities	50	50
Number of Facility Licenses Renewed	1,160	1,160
Individuals Examined	240	240

**Efficiencies:**

Average Cost per Examination Administered	25.91	25.91
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**FUNERAL SERVICE COMMISSION**  
(Continued)

**B. Goal: ENFORCE STANDARDS**

To aggressively and effectively provide enforcement and protect the public from incompetent services and unethical conduct.

**Outcomes:**

Percent of Complaints Resulting in Disciplinary Action	75%	75%
Recidivism Rate for those Receiving Disciplinary Action	12%	12%

**B.1.1. Strategy: INSPECTIONS**

	\$ 241,471	\$ 241,471
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To provide enforcement through a vigorous program of inspections and investigations.

**Outputs:**

Number of Complaints Resolved	107	107
Number of Establishments Inspected	1,180	1,180

**Efficiencies:**

Average Time for Complaint Resolution	65	65
Average Cost per Complaint Resolved	1,079	1,079

**Explanatory:**

Number of Jurisdictional Complaints Received	112	112
Number of Non-jurisdictional Complaints Received	90	90
Percent of Jurisdictional Complaints Resolved Within Six Months	75%	75%

**B.2.1. Strategy: RULE COMPLIANCE**

	\$ 125,996	\$ 125,997
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Review investigated complaints and recommend disciplinary or other action.

**Outputs:**

Number of Administrative Penalties Imposed	90	90
Number of Licenses Revoked or Suspended (Individuals)	18	18
Number of Licenses Revoked or Suspended (Establishments)	10	10

**Explanatory:**

Dollar Amount of Administrative Penalties Imposed	175,000	175,000
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**Total, Goal B: ENFORCE STANDARDS**

	\$ 367,467	\$ 367,468
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**Grand Total, FUNERAL SERVICE COMMISSION**

	\$ 491,821	\$ 491,822
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Number of Positions (FTE)	10.0	10.0
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**Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 1	\$42,000	\$42,000
Per Diem of Board Members	3,850	3,850

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

## DEPARTMENT OF INSURANCE

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: AVAILABILITY OF INSURANCE</b>		
Insurance will be available at the lowest possible cost to all consumers who need it.		
<b>Outcomes:</b>		
Average Number of Days to Approve New Authority or Amend Existing Authority to do Business	55	50
Percent of Contested Cases Finalized Within 180 Days	80%	80%
Percent of Company Licenses Issued, Denied or Withdrawn Within 60 Days	95%	95%
Percent of Agent License Filings Issued, Denied or Withdrawn Within 7 Days	92%	95%
Percent of Real Growth in Underlying Private Passenger Automobile and Homeowners Insurance Loss Costs	1%	-1%
Percent of Inspected Buildings that Meet Either Fire Inspection or Windstorm Inspection Requirements	90%	90%
Percent of Insurers Providing Adequate Safety Services	96%	96%
Number of Automobiles Covered by Voluntary Policies as a Percent of Total Private Passenger Automobiles in Underserved Markets	0%	0%
<b>A.1.1. Strategy: PROMOTE COMPETITION</b>	\$ 8,908,561	\$ 8,861,239
Remove impediments to competition by collecting and analyzing market data, providing price and comparative rate data information to consumers and industry, and processing rates, forms and other required filings.		
<b>Outputs:</b>		
Number of Inquiries Answered	784,420	794,520
Number of Rate Guides Distributed	95,000	105,000
Number of TDI Calls to Insurance Industry for Data	14	14
Number of Insurer Statistical Reports Audited	179,000	188,000
Number of Life/Health Insurance Filings Completed	21,000	21,000
Number of Utilization Review and HMO Certificate Filings Completed	1,800	2,200
Number of Property and Casualty Filings Completed	13,450	13,750
<b>Explanatory:</b>		
Amount of Premiums Written at Rates Within Flex-Bands as a Percent of Total Premiums Written by Rate-Regulated Insurers for Homeowner Coverage	95%	95%
<b>A.1.2. Strategy: INVESTIGATION AND ENFORCEMENT</b>	\$ 6,429,612	\$ 6,397,455
Reduce unfair and illegal practices by: responding promptly to complaints against insurers, agents, and other regulated entities; assisting consumers in recovering for valid claims; investigating apparent patterns of unlawful or questionable trade practices in the insurance industry; and bringing enforcement actions as appropriate.		
<b>Outputs:</b>		
Number of Complaints Resolved	27,100	28,100
Number of Business Practice Reviews Completed	1,500	1,500
Number of Contested Cases Closed	120	120

**DEPARTMENT OF INSURANCE**  
(Continued)

**Efficiencies:**

Average Response Time (Days) to Complaints	35	35
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**A.2.1. Strategy: SAFETY EDUCATION AND INSPECTION**

	\$ 3,190,300	\$ 3,173,101
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Prevent losses by: providing safety education programs; inspecting insurance accident prevention services offered to policyholders; and assuring compliance with windstorm construction codes, amusement ride requirements and protective security systems.

**Outputs:**

Number of Insurance Company Safety Education Programs Reviewed	25	25
Number of Windstorm Inspections and Fire Safety Oversight Inspections Performed and Plans Reviewed	40,220	40,420

**Efficiencies:**

Average Cost per Insurance Company Safety Education Program Reviewed	264	264
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**A.2.2. Strategy: PROVIDER AND CONSUMER FRAUD**

	\$ 302,875	\$ 301,253
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Investigate possible provider fraud and patterns of consumer fraud and bring enforcement action when appropriate.

**Outputs:**

Number of Investigations for Consumer and Provider Fraud Completed	100	100
Number of Referrals of Alleged Consumer and Provider Fraud to Attorney General, District Attorney or Other Appropriate Agency or Law Enforcement Authorities	55	55

**Efficiencies:**

Percent of Claimant and Provider Fraud Cases Concluded Within 180 Days	80%	80%
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**A.3.1. Strategy: UNDERSERVED MARKETS**

	\$ 412,626	\$ 410,364
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Identify underserved markets, create incentives and implement requirements for insurers to write in underserved markets.

**Outputs:**

Number of Underserved Markets Identified	0	0
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**Explanatory:**

Percentage of Occupied Housing Units in Texas that are Covered by Residential Property Insurance, Homeowners or Dwelling, Fire and Allied Lines Policies	88%	93%
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**Total, Goal A: AVAILABILITY OF INSURANCE**

	\$ 19,243,974	\$ 19,143,412
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**B. Goal: PROTECTION OF ASSETS**

Consumers' insurance assets will be protected.

**Outcomes:**

Percent of Claims Paid by Guaranty Associations on Insolvent Companies Within 60 Days of Claim Date	60%	70%
Percent of Insurers Meeting Statutory or Risk-based Capital and Surplus Requirements	95%	94%
Percent of Insurance Companies Against Which Solvency-Related Regulatory Action was Taken	.03%	.03%

**DEPARTMENT OF INSURANCE**  
(Continued)

Percent of Domestic Insurance Companies That Received On-site Annual Financial Examinations	27%	27%
Average Number of Days from Company "At Risk" Identification to the Date of Solvency-Related Regulatory Action	60	60
Percent of Companies Rehabilitated After TDI Supervision/Conservation	61%	61%
<b>B.1.1. Strategy: INSOLVENCIES</b>	\$ 12,333,064	\$ 12,326,332
Analyze the financial condition of insurers, identify weak companies and potential insurer fraud, and rehabilitate, liquidate or take other action against financially weak companies.		
<b>Outputs:</b>		
Number of Estates Put Under Supervision for Financial Rehabilitation	37	37
Number of Estates Placed in Receivership	7	7
Number of Holding Company Transactions Reviewed	800	800
Number of Actuarial Exams Completed	100	100
Number of On-Site Financial Examinations Conducted	2,644	2,644
Number of Re-Insurance Agreement Reviews Conducted	150	150
<b>Efficiencies:</b>		
Average State Cost per Financial Examination	17,565	17,565
Average Number of Days per Company Under TDI Supervision	180	180
<b>B.1.2. Strategy: INSURER FRAUD</b>	\$ 310,264	\$ 308,599
Investigate potential insurer fraud and bring enforcement action when appropriate.		
<b>Outputs:</b>		
Number of Commissioner Orders for Insurer Fraud Issued	6	6
Number of Referrals of Alleged Insurer Fraud to Attorney General, District Attorney, or Other Appropriate Agency or Law Enforcement Authority	38	38
<b>Efficiencies:</b>		
Average Number of Days per Insurer Fraud Enforcement Case Completed	380	380
<b>Total, Goal B: PROTECTION OF ASSETS</b>	<u>\$ 12,643,328</u>	<u>\$ 12,634,931</u>
<b>C. Goal: INDIRECT ADMINISTRATION</b>		
<b>C.1.1. Strategy: CENTRAL ADMINISTRATION</b>	\$ 4,200,900	\$ 4,200,900
<b>C.1.2. Strategy: INFORMATION RESOURCES</b>	\$ 5,009,040	\$ 5,117,999
<b>C.1.3. Strategy: OTHER SUPPORT SERVICES</b>	<u>\$ 2,466,141</u>	<u>\$ 2,466,141</u>
<b>Total, Goal C: INDIRECT ADMINISTRATION</b>	<u>\$ 11,676,081</u>	<u>\$ 11,785,040</u>
<b>Grand Total, DEPARTMENT OF INSURANCE</b>	<u>\$ 43,563,383</u>	<u>\$ 43,563,383</u>
<b>Method of Financing:</b>		
General Revenue Fund - Consolidated	\$ 42,815,888	\$ 42,815,888
Appropriated Receipts	667,495	667,495
Interagency Contracts	<u>80,000</u>	<u>80,000</u>
<b>Total, Method of Financing</b>	<u>\$ 43,563,383</u>	<u>\$ 43,563,383</u>

**DEPARTMENT OF INSURANCE**  
(Continued)

<b>Number of Positions (FTE)</b>	942.5	942.5
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**Schedule of Exempt Positions**

Commissioner of Insurance, Group 6	\$150,000	\$150,000
Senior Associate Commissioner, Group 4	(3) 95,000	(3) 95,000

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with a "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	1996	1997
Out of the General Revenue Fund - Consolidated:		
a. Acquisition of Information Resource Technologies		
(1) Acquisition of workstation upgrades; laptop computers; network upgrades; and database servers	\$ 927,325	\$ 1,068,325
(2) Acquisition of PC software upgrades; LAN E-Mail; GIS System; Case Tool; Project Management Software; GUI Based 4th Generation Language	\$ 364,150	\$ 223,150
Total, Capital Budget	\$ 1,291,475	\$ 1,291,475

2. **Appropriation Source, Rehabilitation of Insurance Companies.** The Department of Insurance shall collect fees from companies that are successfully rehabilitated by the Department. Fees collected shall be in amounts sufficient to cover, yet not exceed, the costs of the rehabilitation of those companies. All fees collected are hereby reappropriated for the biennium beginning September 1, 1995, for the sole purpose of the rehabilitation of other insurance companies.
3. **Appropriation, NAIC Company Database.** Funds appropriated above include \$2,250,000 for the biennium from the General Revenue Fund-Consolidated for payment of company fees to the National Association of Insurance Commissioners for NAIC use of insurance company statistical reports in the NAIC national database. Such payments are necessary under provisions of the Insurance Code, Art. 1.11(b), and indirectly support availability of the NAIC database to the agency for monitoring financial solvency of insurance companies licensed in the State of Texas.
4. **State Support for NAIC Activities.** The agency is prohibited from using resources in support of the National Association of Insurance Commissioners in the absence of NAIC accreditation of the Texas Department of Insurance for compliance with NAIC Financial Regulation Standards. The prohibition would be effective immediately upon loss of accreditation. The only exceptions to this prohibition shall be limited to expenditures necessary for (1) continued Departmental use of the NAIC database for monitoring financial

**DEPARTMENT OF INSURANCE**  
(Continued)

solvency of companies doing business in Texas; (2) solvency-related training; and (3) efforts to regain accreditation.

5. **Consumer Education.** The Texas Department of Insurance shall cooperate with the Office of Public Insurance Counsel to develop consumer education brochures. The Office of Public Insurance Counsel shall have the opportunity to provide comments during the design phase of each brochure. The Department shall establish routine procedures for the necessary interagency cooperation to publish such brochures.
6. **Limitation on Number of Positions.** The Department of Insurance is limited to 975 full-time equivalent positions for each year of the 1996-97 biennium.
7. **Exempt Position Rates.** In the event that the following exempt positions authorized elsewhere in this Act become vacant on or after September 1, 1995, those positions shall receive compensation at a rate not to exceed the rate listed below. In the event an across-the-board salary increase is authorized in this Act, the rate of \$79,500 shall be adjusted accordingly.

	<u>1996</u>	<u>1997</u>
Senior Associate Commissioner (3)	\$79,500	\$79,500

8. **Publication and Distribution of Printed Material.** Funds appropriated may be used within the discretion of the Department for publication and distribution of material of public interest related to the statutory responsibilities of the Department. Amounts received and collected for printed material shall be deposited to the General Revenue Fund-Consolidated and are hereby reappropriated to the Department for use during the 1996-97 biennium for the same purpose and use for which the receipts are collected.
9. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of appropriations made, including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.

In addition to amounts to fund the Department of Insurance, the Department shall set maintenance taxes to fund the method of finance item "General Revenue - Consolidated (Insurance Taxes and Fees)" for the following agencies, including related employee matching costs:

Judiciary Section, Comptroller's Department  
Office of the Attorney General  
General Services Commission  
Commission on Fire Protection  
Lease Payments, End of Article VIII

## OFFICE OF PUBLIC INSURANCE COUNSEL

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund:</b>		
<b>A. Goal: REPRESENT INS CONSUMERS</b>		
To represent Texas consumers forcefully and effectively in rate hearings, rulemaking, court proceedings, and other public forums involving insurance matters.		
<b>Outcomes:</b>		
Percentage of Industry-Wide Rate and Significant Rate and Rule Hearings in Which OPIC Participated	100%	100%
Savings to Consumers as a Result of Rate Hearings Participation and Rule Changes/Denial of Rule Changes (in Millions)	750	750
Percentage of Significant Judicial Proceedings in Which Amicus Curiae Briefs are Filed by OPIC	75%	75%
Savings to Consumers as a Result of Outcomes of Judicial Proceedings	100,000	100,000
<b>A.1.1. Strategy: RATE AND RULE HEARINGS</b>	<b>\$ 744,836</b>	<b>\$ 751,819</b>
Actively participate in statutory rate hearings, significant rate hearings outside the flex band, and rule hearings on behalf of Texas insurance consumers by using expert witnesses, providing staff and consumer testimony, and relying on staff research and staff attorneys.		
<b>Outputs:</b>		
Number of Industry-Wide Rate Hearings in Which OPIC Participated	5	5
Number of Significant Rate Hearings Outside the Flex Band in Which OPIC Participated	5	5
Number of Rules/Non-rate Hearings in Which OPIC Participated	40	40
Number of Proposed New Rules Reviewed	20	20
<b>Efficiencies:</b>		
Average Cost Per Rate Hearing in Which OPIC Participated	51,500	51,500
<b>A.2.1. Strategy: RESEARCH ASSISTANCE</b>	<b>\$ 108,926</b>	<b>\$ 109,923</b>
Provide information and research assistance to the Legislature, including results of ad hoc special research or analytical projects for current issues; and participate in judicial proceedings.		
<b>Outputs:</b>		
Number of Significant Responses to Legislative Requests	25	50
Number of Amicus Curiae Briefs Filed	5	5
Number of Judicial Proceedings (Appellate and Otherwise) in Which OPIC Participated as a Party of Record	3	3
<b>Efficiencies:</b>		
Average Cost Per Judicial Proceeding (Appellate and Otherwise) in Which OPIC Participated as a Party of Record	3,500	3,500
<b>Total, Goal A: REPRESENT INS CONSUMERS</b>	<b>\$ 853,762</b>	<b>\$ 861,742</b>

**OFFICE OF PUBLIC INSURANCE COUNSEL**  
(Continued)

**B. Goal: INCREASE CONSUMER CHOICE**

To increase effective consumer choice by educating Texas insurance consumers about their rights and responsibilities and about the operation of Texas insurance markets.

**Outcomes:**

Percent of Texas Insurance Consumers Reached by Educational Efforts	80%	80%
Percent of Bill of Rights Finally Adopted Within Established Timeliness	90%	100%

**B.1.1. Strategy: INSURANCE INFORMATION**

\$ 87,500 \$ 87,500

Provide Texas consumers with information needed in order to make informed choices by conducting issue research, producing educational materials, and developing public presentations.

**Outputs:**

Number of Newsletters Produced and Distributed	25,000	25,000
Number of Brochures Produced and Distributed	1,000	1,000
Number of Press Conferences and Interviews Given and Newspaper Op-ed Columns Printed	38	38

**Efficiencies:**

Average Cost per Consumer Reached Through Agency Publications/Reports and Public Presentations/Apearances	.04	.04
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**B.2.1. Strategy: BILLS OF RIGHTS**

\$ 9,784 \$ 9,784

Contact Texas consumers and consumer groups throughout the state to formulate bills of rights and perform research on comparable rights in other states.

**Total, Goal B: INCREASE CONSUMER CHOICE**

\$ 97,284 \$ 97,284

**Grand Total, OFFICE OF PUBLIC INSURANCE COUNSEL**

\$ 951,046 \$ 959,026

**Number of Positions (FTE)** 19.0 19.0

**Schedule of Exempt Positions**

Public Counsel, Group 2 \$65,277 \$65,277

- Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.
- Consumer Education.** The Office of Public Insurance Counsel shall not publish brochures that duplicate Department of Insurance brochures. However, the Public Counsel shall have the opportunity to provide comments for publication in brochures published by the Department. The Public Counsel shall establish written procedures for cooperating with the Department to avoid duplication of resources and, generally, shall use efficient means to communicate with insurance consumers.



## BOARD OF PROFESSIONAL LAND SURVEYING

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund - Consolidated:</b>		
<b>A. Goal: LICENSING &amp; ENFORCEMENT</b>		
To ensure that the residents of Texas will be able to obtain competent and accurate surveys prepared by qualified surveyors capable of meeting or exceeding the Professional and Technical Standards of Practice of surveying in Texas.		
<b>Outcomes:</b>		
Percent of Complaints Resulting in Disciplinary Action	30%	30%
Percent of Documented Complaints Resolved Within Six Months	60%	60%
<b>A.1.1. Strategy: LICENSING AND EDUCATION</b>	\$ 287,285	\$ 287,285
The board will examine applicants and regulate practicing surveyors, licensing only competent surveyors who must maintain competency through the completion of continuing education courses.		
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	58	58
Number of Licenses Renewed (Individuals)	3,260	3,260
Individuals Examined (State Exam)	195	195
Complaints Resolved	48	48
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	7.25	7.25
Average Time for Complaint Resolution	200	200
<b>Explanatory:</b>		
Average Time for Individual License Issuance	10	10
Average Time for Individual License Renewal	20	20
Pass Rate (%)	52%	52%
<b>A.1.2. Strategy: EXAMINATION</b>	\$ 5,800	\$ 5,800
Purchase and grade the national exam, estimated and non-transferable.		
<b>Outputs:</b>		
Individuals Examined (National Exam)	145	145
<b>Total, Goal A: LICENSING &amp; ENFORCEMENT</b>	<u>\$ 293,085</u>	<u>\$ 293,085</u>
<b>Grand Total, BOARD OF PROFESSIONAL LAND SURVEYING</b>	<u>\$ 293,085</u>	<u>\$ 293,085</u>
<b>Number of Positions (FTE)</b>	4.0	4.0
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Executive Director, Group 1	\$36,000	\$36,000
Per Diem of Board Members	6,460	6,460

# **BOARD OF PROFESSIONAL LAND SURVEYING** (Continued)

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
2. **Fee Rates.** To provide for the recovery of costs for the preceding appropriations, the following fee rate is established pursuant to the provisions of V.T.C.A., Government Code, Section 316.043 to be effective during fiscal years 1996 and 1997, beginning September 1, 1995.
  - (1) Certificate Renewal:
 

a. Registered Professional Surveyors	\$100.00
b. Licensed State Land Surveyors	\$ 35.00
  - (2) Examination Fee:
 

a. Registered Professional Surveyors	\$100.00
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## **DEPARTMENT OF LICENSING AND REGULATION**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: PROTECT THE PUBLIC</b>		
To manage regulatory and enforcement responsibilities so that all those affected by the laws receive dependable service and fair treatment from the agency and are protected from unsafe practices, illegal operations, and fraud.		
<b>Outcomes:</b>		
Inspection Coverage Rate	82	87
Average Complaint Response Time	30	30
Percent Revenues to Expenditures for Regulatory Activities	104%	104%
<b>A.1.1. Strategy: INVESTIGATIONS</b>	\$ 3,671,857	\$ 3,668,229
Protect the health, safety, and welfare of consumers through inspections and investigations; make and receive regulatory referrals involving areas of joint, overlapping, or independent jurisdictions.		
<b>Outputs:</b>		
Number of Routine Inspections Conducted	49,862	51,881
Number of Complaint Investigations Completed	1,689	1,699
Number of Boilers due for Certificate Inspection	10,500	10,500
Number of Boilers Inspected for Certification	9,000	9,375

**DEPARTMENT OF LICENSING AND REGULATION**  
(Continued)

<b>A.1.2. Strategy:</b> ENFORCEMENT	\$	1,332,119	\$	1,335,260
Enforce compliance with regulatory policies and procedures, and systematically review and revise rules, policies, and procedures to ensure regulatory standards that are effective, yet fair.				
<b>Outputs:</b>				
Number of Administrative Hearings Held		104		98
<b>Efficiencies:</b>				
Average Cost Per Administrative Hearing		650		650
<b>A.1.3. Strategy:</b> EXAMINATIONS	\$	<u>95,090</u>	\$	<u>95,114</u>
Administer and ensure the reliability, validity, and accessibility of examinations.				
<b>Efficiencies:</b>				
Average Cost Per Examination		42		42
<b>Total, Goal A: PROTECT THE PUBLIC</b>	\$	<u>5,099,066</u>	\$	<u>5,098,603</u>
<b>B. Goal: COMMERCE REGULATION</b>				
To enable enterprises to operate and customers to receive needed services through responsive licensing, certification, registration, titling, and other agency processes and through educating customers about those processes.				
<b>Outcomes:</b>				
Percent of Applications Processed Within Established Time Frames		79%		87%
Percent of Consumers Rating Agency Processes and Services as Satisfactory		80%		85%
<b>B.1.1. Strategy:</b> LICENSING	\$	936,870	\$	934,419
Issue licenses, registrations, certifications, and titles to qualified applicants.				
<b>Outputs:</b>				
Number of Licenses, Titles, Registrations, and Certifications Issued		101,500		99,600
<b>Efficiencies:</b>				
Average Cost Per License, Title, Registration, and Certificate Issued		12		12
<b>B.1.2. Strategy:</b> CONSUMER EDUCATION	\$	<u>121,420</u>	\$	<u>122,286</u>
Develop and distribute information about licensing and complaint processes.				
<b>Efficiencies:</b>				
Average Cost of Conducting the Survey		10,000		10,000
<b>Total, Goal B: COMMERCE REGULATION</b>	\$	<u>1,058,290</u>	\$	<u>1,056,705</u>
<b>C. Goal: INDIRECT ADMINISTRATION</b>				
<b>C.1.1. Strategy:</b> CENTRAL ADMINISTRATION	\$	677,048	\$	678,154
<b>C.1.2. Strategy:</b> INFORMATION RESOURCES	\$	311,742	\$	312,195
<b>C.1.3. Strategy:</b> OTHER SUPPORT SERVICES	\$	<u>240,383</u>	\$	<u>240,873</u>
<b>Total, Goal C: INDIRECT ADMINISTRATION</b>	\$	<u>1,229,173</u>	\$	<u>1,231,222</u>
<b>Grand Total, DEPARTMENT OF LICENSING AND REGULATION</b>	\$	<u>7,386,529</u>	\$	<u>7,386,530</u>

**DEPARTMENT OF LICENSING AND REGULATION**  
(Continued)

**Method of Financing:**

General Revenue Fund	\$ 4,933,959	\$ 4,933,960
Appropriated Receipts	1,885,080	1,885,080
Interagency Contracts	1,800	1,800
Auctioneer Education and Recovery Trust Fund	25,000	25,000
Manufactured Homeowner's Recovery Fund No. 926	276,136	276,136
Federal Funds	<u>264,554</u>	<u>264,554</u>
<b>Total, Method of Financing</b>	<b>\$ 7,386,529</b>	<b>\$ 7,386,530</b>

**Number of Positions (FTE)** 212.0 212.0

**Schedule of Exempt Positions**

Commissioner, Group 3 \$62,494 \$62,494

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	<u>1996</u>	<u>1997</u>
Out of the General Revenue Fund:		
a. Acquisition of Information Resource Technologies		
(1) Replacement of Personal Computers	\$ 39,000	\$ 34,500
b. Lease Payments to the Master Equipment Lease Purchase Program (1992/1993)	<u>\$ 18,288</u>	<u>\$ 0</u>
<b>Total, Capital Budget</b>	<b><u>\$ 57,288</u></b>	<b><u>\$ 34,500</u></b>

2. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
3. **Travel Expenses and Fees Reimbursements Reappropriated.** Reimbursements for travel expenses and special inspection fees are hereby reappropriated to the Texas Department of Licensing and Regulation in accordance with V.T.C.A., Health and Safety Code, Section 755.030.

**DEPARTMENT OF LICENSING AND REGULATION**  
(Continued)

4. **Title Transaction Fees.** Pursuant to the provisions of V.T.C.S., Article 5221f, there is hereby appropriated to the department the fees collected for issuing and canceling titles. Out of the title transaction fees charged by the Department of Licensing and Regulation, there is appropriated to the Manufactured Homeowners' Recovery Fund, the sum of \$10 for each title transaction fee charged by the department for administration of the Act. In addition, the unexpended balance of the Manufactured Homeowner's Recovery Fund for the fiscal year ending August 31, 1995, and the interest earnings deposited in the fund during the biennium is hereby appropriated.
5. **Appropriation: Auctioneer Education and Recovery.** Pursuant to the provisions of V.T.C.S., Article 8700, Section 5A, there is hereby appropriated to the Department of Licensing and Regulation all revenue deposited to the Auctioneer Education and Recovery Fund for the purpose and in the amounts specified in the Act, not to exceed \$25,000 in each fiscal year from the interest on the fund.
6. **Appropriation: Elimination of Architectural Barriers.** Funds appropriated above include \$350,000 each year of the biennium from fees collected pursuant to V.T.C.S., Article 9102 for purposes of administering and enforcing the Architectural Barriers Act. Any additional fees collected pursuant to the provisions of V.T.C.S., Article 9102 are hereby appropriated to the Department of Licensing and Regulation for the same purposes.
7. **Contingent Revenue.** Out of appropriations in Strategy A.1.1., Investigations, the amount of \$200,000 is contingent upon the Texas Department of Licensing and Regulation assessing fees sufficient to generate, during the 1996-97 biennium, \$232,864 in excess of the estimate for boiler fees, (Account 001, Object Code 3164) contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of Department of Licensing and Regulation minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.
8. **Reimbursement of Advisory Committee Members.** Pursuant to V.T.C.S., Article 6252-33, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the Industrialized Housing and Building Code Council.
9. **Contingency Appropriation for Senate Bill 1044.** Contingent upon the enactment of Senate Bill 1044, or similar legislation relating to the inspection of elevators by the 74th Legislature, Regular Session, the Department of Licensing and Regulation is hereby appropriated an amount not to exceed \$311,362 for fiscal year 1996 and \$311,362 for fiscal year 1997 out of additional revenues collected pursuant to Senate Bill 1044 for the purpose of implementing that Act. The Department of Licensing and Regulation is hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above. Funds appropriated by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.
10. **Contingency Appropriation for Senate Bill 151.** Contingent upon the enactment of Senate Bill 151, or similar legislation relating to certification and licensing of court appointed interpreters by the 74th Legislature, Regular Session, the Department of Licensing and Regulation is hereby appropriated an amount not to exceed \$383,583 for fiscal year 1996 and \$501,644 for fiscal year 1997 out of additional revenues collected pursuant to Senate Bill 151 for the purpose of implementing that Act. The Department of Licensing and Regulation is

**DEPARTMENT OF LICENSING AND REGULATION**  
(Continued)

hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above. Funds appropriated by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

BOARD OF MEDICAL EXAMINERS

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: PHYSICIAN LICENSURE</b>		
Protect the public by licensing qualified practitioners by determining a physician's eligibility for licensure through examination, reciprocity or renewal and, by collecting information on licensed physicians.		
<b>Outcomes:</b>		
Percent of Licensees With No Recent Violations	99%	99%
<b>A.1.1. Strategy: LICENSING</b>		
Conduct a timely, efficient, and cost-effective licensure process through specific requirements for examination, reciprocity, and renewal of licenses and issue permits to other health care providers.	\$ 844,662	\$ 852,464
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	3,685	2,650
Number of Licenses Renewed (Individuals)	46,500	47,100
Individuals Examined	1,500	1,500
<b>Efficiencies:</b>		
Average Licensing Cost Per Individual License Issued	17	17
<b>B. Goal: ENFORCE MEDICAL ACT</b>		
Protect the public by conducting investigations of allegations against physicians and taking appropriate corrective and/or disciplinary action when necessary; educating the public, staff, and licensees regarding the board's functions and services.		
<b>Outcomes:</b>		
Percent of Complaints Resulting in Disciplinary Action	6.5%	6.5%
Percent Increase: School Visits	10%	10%
<b>B.1.1. Strategy: ENFORCEMENT</b>		
Conduct competent, fair, and timely investigations; ensure due process for respondents; monitor the resolution of complaints; maintain adequate monitoring of all probationers in a timely fashion; and contact consumer complainants in a timely and regular manner.	\$ 2,095,291	\$ 2,113,120
<b>Outputs:</b>		
Complaints Resolved	2,500	2,500
<b>Efficiencies:</b>		
Average Cost Per Complaint Resolved	912.41	928.58
<b>Explanatory:</b>		
Non-Jurisdictional Complaints Received	800	800
Jurisdictional Complaints Received	1,700	1,700
<b>B.2.1. Strategy: PUBLIC EDUCATION</b>		
Provide public awareness/educational programs to educate the public/physicians regarding the agency's functions, services and responsibilities.	\$ 95,234	\$ 95,204

**BOARD OF MEDICAL EXAMINERS**  
(Continued)

<b>Outputs:</b>		
Number of Medical School Visits	13	14
<b>Total, Goal B: ENFORCE MEDICAL ACT</b>	<b>\$ 2,190,525</b>	<b>\$ 2,208,324</b>
<b>C. Goal: ACUPUNCTURE BD/PA COUNCIL</b>		
To advise and provide administration to the Texas Board of Acupuncture Examiners and Physician Assistant Advisory Council.		
<b>Outcomes:</b>		
Percent of Acupuncturist Licensees with No Recent Violations	99%	99%
Percent of Acupuncturists Complaints Resulting in Disciplinary Action	6.5%	6.5%
Percent of Physician Assistants Licensees with No Recent Violations	99%	99%
Percent of PA Complaints Resulting in Disciplinary Action	6.5%	6.5%
<b>C.1.1. Strategy: ACUPUNCTURE</b>	<b>\$ 64,150</b>	<b>\$ 64,033</b>
To assist the Texas State Board of Acupuncture Examiners in administering the rules established for licensing, investigating and enforcing the practice of acupuncture.		
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	50	50
Number of Licenses Renewed (Individuals)	450	500
Number of Complaints Resolved	40	40
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	77	70
Average Time for Complaint Resolution	260	240
<b>C.2.1. Strategy: PHYSICIAN'S ASSISTANTS</b>	<b>\$ 154,150</b>	<b>\$ 154,033</b>
To assist the Physician Assistant Advisory Council in administering the rules established for licensing, investigating and enforcing the statutes and rules pertaining to Physician Assistants.		
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	50	50
Number of Licenses Renewed (Individuals)	1,450	1,500
Number of Complaints Resolved	45	45
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	24	24
Average Time for Complaint Resolution	260	240
<b>Total, Goal C: ACUPUNCTURE BD/PA COUNCIL</b>	<b>\$ 218,300</b>	<b>\$ 218,066</b>
<b>D. Goal: PURCHASE AND GRADING</b>		
Purchase and Grading of National Exam		
<b>D.1.1. Strategy: NATIONAL EXAMINATIONS</b>	<b>\$ 477,500</b>	<b>\$ 477,500</b>
Purchase and Grading of National Exam, estimated and non-transferable		
<b>E. Goal: INDIRECT ADMINISTRATION</b>		
<b>E.1.1. Strategy: INDIRECT ADMINISTRATION</b>	<b>\$ 853,552</b>	<b>\$ 861,312</b>
<b>Grand Total, BOARD OF MEDICAL EXAMINERS</b>	<b>\$ 4,584,539</b>	<b>\$ 4,617,666</b>



# **BOARD OF MEDICAL EXAMINERS** (Continued)

## **Method of Financing:**

General Revenue Fund	\$ 1,968,581	\$ 1,979,146
General Revenue Fund - Consolidated	<u>2,615,958</u>	<u>2,638,520</u>
<b>Total, Method of Financing</b>	<u>\$ 4,584,539</u>	<u>\$ 4,617,666</u>

<b>Number of Positions (FTE)</b>	95.0	95.0
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## **Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 2	\$68,173	\$68,173
Per Diem of Board Members	23,500	23,500

- Appropriation Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.
- Transfer for Health Professions Council.** Out of funds appropriated above in Strategy A.1.1., Licensing, an amount equal to \$18,591 in fiscal year 1996 and \$18,591 in fiscal year 1997 shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the State Board of Medical Examiners.
- Transfer to the Center for Rural Health Initiatives.** Included in the amounts appropriated above for Strategy C.2.1., Physician's Assistants, in the amounts of \$90,000 in each fiscal year of the biennium, out of fees generated from the Physician Assistant's program, are funds which shall be used for an interagency contract with the Center for Rural Health Initiatives (Department of Health) to provide funding for the Physician Assistant Student Loan Repayment program for those physician assistants who practice in rural areas of the state.

# **BOARD OF NURSE EXAMINERS**

	For the Years Ending	
	August 31,	August 31,
	1996	1997

## **A. Goal: LICENSING**

To manage cost-effective, quality programs of accreditation, examination, licensure, and regulation that ensure legal standards for professional nursing education and practice and which effectively serve the market demand for qualified professional nurses.

## **Outcomes:**

Percent of Licensees with No Recent Violations	99.8%	99.8%
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**BOARD OF NURSE EXAMINERS**  
(Continued)

<b>A.1.1. Strategy: LICENSING</b>	\$ 1,115,529	\$ 1,097,764
Operate an efficient system of licensing, examination, and credentials verification for the practice of professional nursing.		
<b>Outputs:</b>		
Individuals Examined	8,700	9,100
Number of New Licenses Issued	14,950	15,800
Number of Licenses Renewed	65,000	68,000
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	3.1	3.15
<b>A.2.1. Strategy: ACCREDITATION</b>	\$ 215,000	\$ 215,000
Operate an effective accreditation program for professional nursing programs that includes the implementation of essential competencies curricula.		
<b>Outputs:</b>		
Total Number of Nursing Programs Accredited	77	78
<b>Total, Goal A: LICENSING</b>	<u>\$ 1,330,529</u>	<u>\$ 1,312,764</u>
<b>B. Goal: PROTECT PUBLIC</b>		
To ensure swift, fair, and effective enforcement of the Nursing Practice Act so that consumers are protected from unsafe, incompetent, and unethical nursing practice by registered professional nurses.		
<b>Outcomes:</b>		
Percent of Complaints Resulting in Disciplinary Action	31%	32%
<b>B.1.1. Strategy: ENFORCEMENT</b>	\$ 948,544	\$ 930,778
Administer an effective system of enforcement and adjudication which includes investigating and resolving complaints.		
<b>Outputs:</b>		
Complaints Resolved	1,200	1,300
<b>Efficiencies:</b>		
Average Cost per Complaint Resolution	613.07	565.91
<b>Explanatory:</b>		
Jurisdictional Complaints Received	1,300	1,400
Non-Jurisdictional Complaints Received	200	225
<b>C. Goal: PEER ASSISTANCE</b>		
<b>Outcomes:</b>		
Success Rate for Participants in Peer Assistance Program	67%	67%
<b>C.1.1. Strategy: PEER ASSISTANCE</b>	\$ 315,000	\$ 315,000
<b>Outputs:</b>		
People Served	552	568
People Expected to Successfully Complete Program	157	175
<b>Grand Total, BOARD OF NURSE EXAMINERS</b>	<u>\$ 2,594,073</u>	<u>\$ 2,558,542</u>
<b>Method of Financing:</b>		
General Revenue Fund - Consolidated	\$ 2,046,072	\$ 2,010,541
Appropriated Receipts, estimated	<u>548,001</u>	<u>548,001</u>
<b>Total, Method of Financing</b>	<u>\$ 2,594,073</u>	<u>\$ 2,558,542</u>

**BOARD OF NURSE EXAMINERS**  
(Continued)

<b>Number of Positions (FTE)</b>	49.0	49.0
<b>Schedule of Exempt Positions and Per Diem</b>		
Executive Director, Group 2	\$53,469	\$53,469
Per Diem	10,000	10,000

- 1. Appropriations Limited to Revenue Collection.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.
- 2. Transfer for Health Professions Council.** Out of funds appropriated above in Strategy A.1.1. Licensing, an amount equal to \$12,105 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Nurse Examiners.
- 3. Contingency for Senate Bill 519.** Out of funds appropriated above in Item C.1.1., Peer Assistance, the expenditure of \$26,250 in fiscal year 1996 and \$26,250, in fiscal year 1997 is hereby made contingent upon the enactment of Senate Bill 519, or similar legislation relating to providing peer assistance to impaired students, by the 74th Legislature, Regular Session.

**BOARD OF VOCATIONAL NURSE EXAMINERS**

	For the Years Ending	
	August 31,	August 31,
	1996	1997
<hr/>		
<b>A. Goal: LICENSING</b>		
To establish and implement cost-effective and efficient systems of regulation through education, practice, and licensure and discipline to meet the market demand for safe, competent and ethical vocational nurses.		
<b>Outcomes:</b>		
Percent of Complaints Resulting in Disciplinary Action	40%	40%
Success Rate for Participants in Peer Assistance Program	67%	67%
 <b>A.1.1. Strategy: LICENSING</b>	<b>\$ 502,999</b>	<b>\$ 473,765</b>
Operate an efficient and comprehensive licensure system that encompasses graduation from an approved vocational nursing program, initial licensure by national examination or endorsement and ongoing renewal of licenses to include continuing education requirements.		
<b>Outputs:</b>		
Individuals Examined	4,500	4,500
Number of New Licenses Issued to Individuals	5,200	5,200

**BOARD OF VOCATIONAL NURSE EXAMINERS**  
(Continued)

Number of Licenses Renewed (Individuals)	36,000	36,000
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	5.38	5.38
<b>A.2.1. Strategy:</b> NURSING PROGRAM APPROVAL Ensure a cost-effective and comprehensive vocational nursing program approval system that produces graduates qualified to apply for licensure by examination.	\$ 133,002	\$ 130,602
<b>Outputs:</b>		
Total Number of Programs Licensed	110	110
<b>A.3.1. Strategy:</b> ENFORCEMENT To investigate 100 percent of written complaints; to resolve 75 percent of complaints within 120 days of receipt; to institute disciplinary action on all licensees in violation of the Vocational Nurse Act, Board rules and regulations and all laws of Texas and probation/stipulation requirements.	\$ 302,622	\$ 272,988
<b>Outputs:</b>		
Complaints Documented	900	900
Complaints Pending	255	255
Complaints Resolved	700	675
<b>Efficiencies:</b>		
Average Cost per Complaint Resolved	390.22	359.38
<b>Explanatory:</b>		
Jurisdictional Complaints Received	580	580
Non-jurisdictional Complaints Received	210	225
<b>A.4.1. Strategy:</b> PEER ASSISTANCE	\$ 180,000	\$ 180,000
<b>Outputs:</b>		
People Served	120	118
People Expected to Successfully Complete Program	53	53
<b>Total, Goal A: LICENSING</b>	<u>\$ 1,118,623</u>	<u>\$ 1,057,355</u>
<b>Grand Total, BOARD OF VOCATIONAL NURSE EXAMINERS</b>	<u>\$ 1,118,623</u>	<u>\$ 1,057,355</u>
<b>Method of Financing:</b>		
General Revenue Fund - Consolidated	\$ 1,088,623	\$ 1,032,355
Appropriated Receipts	<u>30,000</u>	<u>25,000</u>
<b>Total, Method of Financing</b>	<u>\$ 1,118,623</u>	<u>\$ 1,057,355</u>
<b>Number of Positions (FTE)</b>	20.0	20.0
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Executive Director, Group 2	\$46,786	\$46,786
Per Diem of Board Members	9,090	9,090

**BOARD OF VOCATIONAL NURSE EXAMINERS**  
(Continued)

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.
2. **Transfer for Health Professions Council.** Out of funds appropriated above in Strategy A.1.1. Licensing, an amount equal to \$5,280 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Vocational Nurse Examiners.

## OPTOMETRY BOARD

	For the Years Ending August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund - Consolidated:</b>		
<b>A. Goal: EXAMINATION/LICENSURE</b>		
To manage a quality program of examination and licensure to ensure the initial and continuing competency of optometrists and enforce the optometry statutes to ensure that the public is protected from incompetent services, fraud, and misrepresentation.		
<b>Outcomes:</b>		
Percent of Licensees With No Recent Violations	92.8%	92.5%
Percent of Complaints Resulting in Disciplinary Action	1.6%	1.6%
<b>A.1.1. Strategy: LICENSURE AND ENFORCEMENT</b>		
Operate an efficient and comprehensive optometry licensure and enforcement system.	<u>\$ 289,328</u>	<u>\$ 267,929</u>
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	166	179
Number of Licenses Renewed (Individuals)	2,846	3,012
Individuals Examined	211	276
Complaints Resolved	123	132
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	28	28
Average Cost per Complaint Resolved	92.18	92.18
<b>Explanatory:</b>		
Jurisdictional Complaints Received	130	130
Non-Jurisdictional Complaints Received	130	130
<b>Grand Total, OPTOMETRY BOARD</b>	<u>\$ 289,328</u>	<u>\$ 267,929</u>
<b>Number of Positions (FTE)</b>	6.0	6.0

**OPTOMETRY BOARD**  
(Continued)

**Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 1	\$39,545	\$39,545
Per Diem of Board Members	3,720	3,720

- 1. Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including any other direct operating costs and employee matching costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
- 2. Investigative Expenses Authorized.** The Texas Optometry Board is authorized to hire investigators as independent contractors and to establish a petty cash account not to exceed \$5,000 for the advancement of monies for purposes of purchases of evidence and investigative expenses, including travel, deemed necessary by the Board.
- 3. Transfer For Health Professions Council.** Out of funds appropriated above in Strategy A.1.1. Licensure and Enforcement, an amount equal to \$1,201 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Texas Optometry Board.

**STRUCTURAL PEST CONTROL BOARD**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: LICENSE AND EDUCATE</b>		
To appropriately license all individuals in commercial and noncommercial pest control and guarantee through education the highest level of competence in the pest control field.		
<b>Outcomes:</b>		
Percent of Licensees with no Recent Violations	95%	95%
<b>A.1.1. Strategy: LICENSING AND EXAMINATIONS</b>		
Examine and license applicators and technicians; establish minimum standards for and implement training and continuing education courses.	\$ 388,768	\$ 383,321
<b>Outputs:</b>		
Individuals Examined	2,400	2,400
Number of New Licenses Issued to Individuals	450	450
Number of Licenses Renewed (Individuals)	11,000	11,000
<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	44	44
<b>B. Goal: REGULATE PEST SERVICES</b>		
To mandate compliance with all regulations, methods, and procedures of providing pest control services.		

# STRUCTURAL PEST CONTROL BOARD

(Continued)

## Outcomes:

Complaints Resolved as a Percent of Complaints Received	90%	90%
Percent of Complaints Resolved Within Six Months	85%	85%

### B.1.1. Strategy: ENFORCEMENT

\$ 721,679 \$ 721,679

Conduct a program to respond to complaints, perform inspections and necessary investigations, and take appropriate enforcement actions.

#### Outputs:

Number of Complaints Resolved	820	820
Investigations Conducted	1,450	1,450
Number of Inspections Performed	1,500	1,500
Number of Enforcement Actions Taken That Result from Complaints	300	300

#### Efficiencies:

Average Cost per Complaint Resolved	325	325
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#### Explanatory:

Number of Insurance Complaints	150	150
Number of Consumer Complaints	670	670
Number of Jurisdictional Complaints Received	820	820
Number of Non-Jurisdictional Complaints Received	20	20

### C. Goal: EDUCATION & AWARENESS

To provide for the education and awareness of the public concerning matters relating to pest control, with emphasis on integrated pest management.

## Outcomes:

Percent of Schools Provided with Information Regarding Integrated Pest Management	30%	10%
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### C.1.1. Strategy: PUBLIC INFORMATION

\$ 84,515 \$ 84,515

Conduct a program for public awareness and education concerning pest management.

#### Outputs:

Number of Individuals Trained in Integrated Pest Management	400	400
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### Grand Total, STRUCTURAL PEST CONTROL BOARD

\$ 1,194,962 \$ 1,189,515

## Method of Financing:

General Revenue Fund - Consolidated	\$ 1,094,962	\$ 1,089,515
Federal Funds	100,000	100,000

### Total, Method of Financing

\$ 1,194,962 \$ 1,189,515

Number of Positions (FTE) 36.0 36.0

## Schedule of Exempt Positions

Executive Director, Group 1 \$51,493 \$51,493

1. **Fee Rates.** To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to V.T.C.A., Government Code Chapter 316, Section 316.041-316.045, to be effective during the biennium beginning September 1, 1995.

**STRUCTURAL PEST CONTROL BOARD**  
(Continued)

- |   |           |
|---|-----------|
| (1) Business License, not less than       | \$ 132.00 |
| (2) Certified Applicator, not less than   | 66.00     |
| (3) Technician License Fee, not less than | 36.00     |
2. **Transfer Authority.** Notwithstanding other provisions contained in this Act, the Structural Pest Control Board is hereby authorized to transfer such amounts as necessary, not to exceed 25%, between appropriation line items. As a specific exception to this transferability authority, funds included in appropriations made above in Item A.1.1., Licensing and Examinations, for the purchasing and grading of examinations, shall be expended solely for the purchasing and grading of those examinations.
3. **Appropriation of Receipts, Examination Fees.** All examination fees collected in amounts exceeding \$200,000 each year of the biennium are hereby reappropriated to the Structural Pest Control Board to be used only for costs associated with administering and grading exams.
4. **Regulation of Beekeepers Restricted.** It is the intent of the Legislature that the Structural Pest Control Board shall not restrict or regulate activities of beekeepers who are registered with the chief apiary inspector of the state and who do not use pesticides or electronic devices other than conventional bee smokers, soap and water or other equipment. No funds appropriated above may be expended by the Structural Pest Control Board for regulatory action against apiarians not subject to licensing or regulation by the board.
5. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.

**BOARD OF PHARMACY**

For the Years Ending	
August 31,	August 31,
1996	1997

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**Out of the General Revenue Fund - Consolidated:**

**A. Goal: MAINTAIN STANDARDS**

To establish and implement reasonable standards for pharmacist education and practice, and for the operations of pharmacies to assure that safe and effective pharmaceutical care is delivered to the citizens of Texas.

**Outcomes:**

Percent of Recent Licensees with No Recent Violations	99%	99%
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**BOARD OF PHARMACY**  
(Continued)

<b>A.1.1. Strategy: LICENSING</b>	\$	343,929	\$	334,796
Operate a timely, cost-effective application and renewal licensure system for pharmacies and pharmacists.				
<b>Outputs:</b>				
Individuals Examined		1,457		1,486
Number of Licenses Renewed (Individuals)		17,776		18,214
Number of Licenses Renewed (Businesses)		5,330		5,388
<b>Efficiencies:</b>				
Average Licensing Cost per Individual License Issued		7.96		7.61
Average Licensing Cost per Facility License Issued		25.34		24.57
<b>B. Goal: ENFORCE REGULATIONS</b>				
To assertively and swiftly enforce all laws relating to the practice of pharmacy to ensure that the public health and safety is protected from unprofessional conduct, fraud, and misrepresentation, and to prevent the misuse, abuse, and diversion of prescription drugs from pharmacies.				
<b>Outcomes:</b>				
Percent of Complaints Resolved Resulting in Disciplinary Action		10%		10%
Success Rate for Participants in Peer Assistance Program		67%		67%
<b>B.1.1. Strategy: ENFORCEMENT</b>	\$	1,375,066	\$	1,292,400
Emphasize preventative enforcement by: conducting compliance inspections of pharmacies; providing technical assistance, licensee information, and education programs; receiving, investigating, and resolving complaints; and monitoring compliance with disciplinary orders resulting from board adjudication.				
<b>Outputs:</b>				
Number of Inspections		2,200		2,200
Complaints Resolved		800		800
<b>Efficiencies:</b>				
Average Cost per Complaint Resolved		805		820
<b>Explanatory:</b>				
Non-Jurisdictional Complaints Received		40		45
Jurisdictional Complaints Received		1,060		1,155
<b>B.2.1. Strategy: PEER ASSISTANCE</b>	\$	108,000	\$	108,000
<b>Outputs:</b>				
People Served		593		633
People Expected to Successfully Complete Program		474		506
<b>Total, Goal B: ENFORCE REGULATIONS</b>	\$	1,483,066	\$	1,400,400
<b>C. Goal: PURCHASE AND GRADING</b>				
Purchase and Grading of National Exam				
<b>C.1.1. Strategy: PURCHASE AND GRADING</b>	\$	108,000	\$	108,000
Purchase and Grading of National Exam, estimated and non-transferable				
<b>D. Goal: INDIRECT ADMINISTRATION</b>				
<b>D.1.1. Strategy: INDIRECT ADMINISTRATION</b>	\$	381,743	\$	381,593
<b>Grand Total, BOARD OF PHARMACY</b>	\$	2,316,738	\$	2,224,789
<b>Number of Positions (FTE)</b>		40.0		40.0

# BOARD OF PHARMACY (Continued)

## Schedule of Exempt Positions and Per Diem of Board Members

Executive Director, Group 2	\$66,000	\$66,000
Per Diem of Board Members	9,450	9,450

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	1996	1997
Out of the General Revenue Fund - Consolidated:		
a. Acquisition of Information Resource Technologies		
(1) Telephone System	\$ 40,568	\$ 0
Total, Capital Budget	\$ 40,568	\$ 0

2. **Appropriation Source.** The amounts specified above are appropriated from revenues received during the biennium with the effective date of this Act.
3. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.
4. **Transfer For Health Professions Council.** Out of funds appropriated above in Strategy A.1.1 Licensing, an amount equal to \$9,144 in fiscal year 1996 and \$9,144 in fiscal year 1997 shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Texas State Board of Pharmacy.
5. **Appropriation: Peer Assistance Program.** Out of the funds appropriated in Strategy B.2.1., Peer Assistance, \$108,000 is appropriated to the Board of Pharmacy each year of the biennium for the purpose of financing an approved peer assistance program, including the costs of administering the program. This appropriation is estimated and based on a five dollar (\$5.00) surcharge per license or license renewal collected as authorized in Vernon's Annotated Civil Statutes, Section 27A(g). Contingent upon additional revenue collections, such additional fees and surcharges authorized in Vernon's Annotated Civil Statutes, Article 4542-1, are hereby appropriated to the agency pursuant to Vernon's Annotated Civil Statutes, Section 27A, including the cost of administering the program.
6. **Contingent Revenue.** Out of appropriations in Strategy B.1.1., Enforcement, the amount of \$100,732 is contingent upon the Texas State Board of Pharmacy assessing fees sufficient to generate, during the 1996-97 biennium, \$121,312 in excess of the estimate for health-related professional fee (pharmacy), (Account 523, Object Code 3562) contained in the *Biennial*

**BOARD OF PHARMACY**  
(Continued)

*Revenue Estimate 1996-97*, Comptroller of Public Accounts, January 10, 1995. The Texas State Board of Pharmacy, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas State Board of Pharmacy minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

7. **Contingency Appropriation for House Bill 1504.** Contingent upon the enactment of House Bill 1504, or similar legislation relating to the funding and operation of the program to aid certain impaired pharmacists and pharmacy students, by the 74th Legislature, Regular Session, the Texas State Board of Pharmacy is hereby appropriated \$108,000 for fiscal year 1996 and \$108,000 for fiscal year 1997 out of additional revenues collected pursuant to House Bill 1504 for the purpose of implementing that Act. The Texas State Board of Pharmacy is hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above.
8. **Contingency Appropriation for House Bill 1505.** Contingent upon the enactment of House Bill 1505, or similar legislation relating to the authority of the Texas State Board of Pharmacy to inspect certain facilities and register and inspect certain equipment and to file a complaint resulting from the inspection, by the 74th Legislature, Regular Session, the Texas State Board of Pharmacy is hereby appropriated \$66,286 for fiscal year 1996 and \$49,384 for fiscal year 1997 out of additional revenues collected pursuant to House Bill 1505 for the purpose of implementing that Act. The Texas State Board of Pharmacy is hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above.

**EXECUTIVE COUNCIL OF PHYSICAL AND OCCUPATIONAL  
THERAPY EXAMINERS**

For the Years Ending	
August 31,	August 31,
1996	1997

**Out of the General Revenue Fund:**

**A. Goal: EXAMINATION/LICENSING**

To examine and license physical therapists and physical therapist assistants, to protect the public from unsafe/incompetent physical therapy services, and to monitor the practice of physical therapy.

**Outcomes:**

Percent of Complaints Resulting in Disciplinary Action	13%	14%
Percent of Licensees with No Recent Violations	99%	99%

<b>A.1.1. Strategy: PHYSICAL THERAPY LICENSING</b>	\$	394,477	\$	389,786
Operate an efficient system of examining, issuing, and renewing licenses; certifying continuing education courses; and providing public information.				

**EXECUTIVE COUNCIL OF PHYSICAL AND OCCUPATIONAL  
THERAPY EXAMINERS**  
(Continued)

<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	1,050	1,100
Number of Licenses Renewed (Individuals)	4,000	5,500
Complaints Resolved	200	220
<b>Efficiencies:</b>		
Average Licensing Cost for Individual License Issued	65	65
Average Cost per Complaint Resolution	50	50
<b>Explanatory:</b>		
Average Time for Individual License Issuance (Days)	8	8
Number of Jurisdictional Complaints Received	250	250
<b>B. Goal: ENSURE PUBLIC PROTECTION</b>		
To license occupational therapists and occupational therapist assistants, to protect the public from unsafe/incompetent occupational therapy, and to monitor the practice of occupational therapy.		
<b>Outcomes:</b>		
Percent of Licensees with No Recent Violations	100%	100%
Percent of Complaints Resulting in Disciplinary Action	5%	5%
<b>B.1.1. Strategy: OCCUPATIONAL THERAPY LICENSING</b>		
	\$ 308,582	\$ 307,446
To license occupational therapists and occupational therapist assistants and to administer a system of enforcement and adjudication of the Occupational Therapy Practice Act.		
<b>Outputs:</b>		
Number of New Licenses Issued to Individuals	670	730
Number of Licenses Renewed (Individuals)	2,800	2,900
<b>Efficiencies:</b>		
Average Licensing Cost for Individual License Issued	65	65
Average Cost per Complaint Resolution	50	50
<b>Explanatory:</b>		
Average Time for Individual License Issuance (Days)	12	12
Jurisdictional Complaints Received	50	50
<b>C. Goal: PURCHASE AND GRADING</b>		
Purchase and Grading of National Exam		
<b>C.1.1. Strategy: PURCHASE AND GRADING</b>	\$ 90,000	\$ 90,000
Purchase and Grading of National Exam, estimated and non-transferable		
<b>Grand Total, EXECUTIVE COUNCIL OF PHYSICAL AND OCCUPATIONAL THERAPY EXAMINERS</b>		
	\$ 793,059	\$ 787,232
<b>Number of Positions (FTE)</b>	18.0	18.0
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Executive Director, Group 1	\$46,500	\$46,500
Per Diem of Board Members	5,070	5,070

- Transfer for Health Professions Council.** Funds appropriated above in Strategy A.1.1. Physical Therapy Licensing, an amount equal to \$2,133 each year (1996 and 1997) shall be

# EXECUTIVE COUNCIL OF PHYSICAL AND OCCUPATIONAL THERAPY EXAMINERS (Continued)

used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Executive Council of Physical and Occupational Therapy Examiners.

- 2. Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

## BOARD OF PLUMBING EXAMINERS

For the Years Ending	
August 31,	August 31,
1996	1997

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: ENSURE SAFETY/PLUMBING

To protect the health of Texas Citizens by ensuring that each person has access to clean water and clean air and uncontaminated medical gases through quality plumbing installed and maintained by competent plumbers and inspected by competent inspectors. To ensure that plumbers who install and maintain public water supplies and sewage disposal systems and medical gas systems and inspectors who inspect such systems have the most up-to-date knowledge, skills, and competencies to prevent the transmission of water-borne diseases and gases and the unintended cross-connection of breathable and lethal gases.

#### Outcomes:

Percentage of Complaints Resolved Resulting in Disciplinary Action

32%	32%
99.65%	99.65%

Percentage of Licensees with No Recent Violations

#### A.1.1. Strategy: LICENSING

Administer competency examinations and issue and renew licenses for master plumbers, journeyman plumbers, plumbing inspectors, medical gas endorsements, and water supply protection endorsements; and issue registration cards to apprentice plumbers.

#### Outputs:

Number of New Licenses Issued to Individuals  
Number of Licenses Renewed (Individuals)  
Number of Individuals Examined

\$	558,546	\$	494,988
	1,121		1,825
	22,501		23,101
	2,396		2,696

**BOARD OF PLUMBING EXAMINERS**  
(Continued)

<b>Efficiencies:</b>		
Average Licensing Cost per Individual License Issued	4.33	4.23
<b>A.1.2. Strategy: ENFORCEMENT</b>	<u>\$ 432,336</u>	<u>\$ 498,793</u>
Inspect and monitor job sites; conduct continuing education seminars and training sessions; respond to inquiries; investigate and resolve complaints; issue reprimands and revoke or suspend licenses; issue citations; monitor providers of instruction in medical gas piping programs, water protection specialist programs, and continuing education programs; inspect plumbing for compliance with state plumbing codes; and maintain contacts with municipal authorities that comply with the Act through local ordinance.		
<b>Outputs:</b>		
Number of Job Sites Monitored	2,240	2,240
Number of Investigations Conducted	44	44
Number of Complaints Resolved	378	435
<b>Efficiencies:</b>		
Average Cost per Complaint Resolved	249.19	207.81
<b>Explanatory:</b>		
Number of Complaints Received	836	962
<b>Total, Goal A: ENSURE SAFETY/PLUMBING</b>	<u>\$ 990,882</u>	<u>\$ 993,781</u>
<b>B. Goal: INDIRECT ADMINISTRATION</b>		
<b>B.1.1. Strategy: INDIRECT ADMINISTRATION</b>	<u>\$ 323,284</u>	<u>\$ 323,284</u>
<b>Grand Total, BOARD OF PLUMBING EXAMINERS</b>	<u>\$ 1,314,166</u>	<u>\$ 1,317,065</u>
<b>Number of Positions (FTE)</b>	18.0	18.0
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Administrator, Group 2	\$61,909	\$61,909
Per Diem of Board Members	2,030	2,030

1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	<u>1996</u>	<u>1997</u>
Out of the General Revenue Fund - Consolidated:		
a. Transportation Items	<u>\$ 43,137</u>	<u>\$ 28,758</u>
Total, Capital Budget	<u>\$ 43,137</u>	<u>\$ 28,758</u>

**BOARD OF PLUMBING EXAMINERS**  
(Continued)

2. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
3. **Contingent Revenue.** Out of appropriations in Strategy A.1.1. Licensing, and A.1.2. Enforcement, the amount of \$690,968 is contingent upon the Board of Plumbing Examiners assessing fees sufficient to generate, during the 1996-97 biennium, \$708,674 in excess of the estimate for Plumbing Examiners Fund, (Account 077, Object Code 3175) contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995. The Board of Plumbing Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of Board of Plumbing Examiners minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

**BOARD OF PODIATRY EXAMINERS**

For the Years Ending	
August 31,	August 31,
1996	1997

**Out of the General Revenue Fund - Consolidated:**

**A. Goal: PROTECT TEXANS**

To protect the citizens of Texas from incompetent and unethical podiatrists with a quality program of examination and licensure and swift, fair, and effective enforcement of statutes and rules.

**Outcomes:**

Percent of Licensees with no Recent Violations	99%	99%
Percent of Complaints Resulting in Disciplinary Action	8%	9%

**A.1.1. Strategy: LICENSURE AND ENFORCEMENT**

Operate a system of: (1) testing and examination of candidate for licensure; (2) mandatory continuing medical education of licensees; and (3) investigation and disciplinary hearings for alleged violations of the Texas Podiatry Act.

**Outputs:**

Number of New Licenses Issued to Individuals	83	83
Number of Licenses Renewed (Individuals)	740	740
Individuals Examined	50	50
Complaints Resolved	70	70

**\$ 138,027    \$ 138,227**

**BOARD OF PODIATRY EXAMINERS**  
(Continued)

**Efficiencies:**

Average Licensing Cost per Individual License Issued	15	15
Average Cost per Exam Administered	200	200

**Explanatory:**

Jurisdictional Complaints Received	70	70
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<b>Grand Total, BOARD OF PODIATRY EXAMINERS</b>	<b>\$ 138,027</b>	<b>\$ 138,227</b>
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<b>Number of Positions (FTE)</b>	<b>3.5</b>	<b>3.5</b>
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**Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 1	\$36,000	\$36,000
Per Diem of Board Members	1,080	1,080

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including any other direct operating costs and employee matching costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.
2. **Transfer for Health Professions Council.** Out of funds appropriated above in strategy A.1.1. Licensure and Enforcement, an amount equal to \$732 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Podiatry Examiners.

**BOARD OF EXAMINERS OF PSYCHOLOGISTS**

For the Years Ending	
August 31,	August 31,
<u>1996</u>	<u>1997</u>

**Out of the General Revenue Fund - Consolidated:**

**A. Goal: CERTIFICATION/LICENSURE**

To protect the public by maintaining a quality program of examination, certification and licensure to ensure the initial and continuing competency of psychologists and psychological associates.

**Outcomes:**

Percent of Licensees With No Recent Violations	99.5%	99.5%
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**A.1.1. Strategy: LICENSING**

To operate a quality certification/licensure program through an efficient and cost effective program of	\$ 294,436	\$ 292,721
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**BOARD OF EXAMINERS OF PSYCHOLOGISTS**  
(Continued)

certification and licensure, including education, experience and examination requirements, continuing education requirements and renewal requirements.

**Outputs:**

Number of New Certificates/Licenses Issued to Individuals	425	425
Number of Certificates/Licenses Renewed (Individuals)	4,550	4,575
Individuals Examined	700	700

**Efficiencies:**

Average Cost per Exam Administered	160	160
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**B. Goal: ENFORCEMENT LAWS & RULES**

To protect the public through enforcement of the laws and rules governing the practice of psychology in Texas and to ensure swift, fair and effective disciplinary action for violators, including re-education and/or rehabilitation of those violators.

**Outcomes:**

Percent of Complaints Resolved Resulting in Disciplinary Action	13.5%	15%
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**B.1.1. Strategy: ENFORCEMENT**

	\$ 306,133	\$ 309,690
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Operate a quality investigation/enforcement program in response to complaints concerning psychological practice consistent with the due process laws of Texas, in a timely manner and with a focus during enforcement on rehabilitation of the psychological provider.

**Outputs:**

Complaints Resolved	150	150
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**Efficiencies:**

Average Cost per Complaint Investigation	436	436
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**Explanatory:**

Jurisdictional Complaints Received	200	200
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**C. Goal: PURCHASE AND GRADING**

Purchase and Grading of National Exam

**C.1.1. Strategy: PURCHASE AND GRADING**

	\$ 54,050	\$ 54,050
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Purchase and Grading of National Exam, estimated and non-transferable

**Grand Total, BOARD OF EXAMINERS OF PSYCHOLOGISTS**

	<u>\$ 654,619</u>	<u>\$ 656,461</u>
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**Number of Positions (FTE)**

	14.0	14.0
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**Schedule of Exempt Positions and Per Diem of Board Members**

Executive Director, Group 1	\$42,716	\$42,716
Per Diem of Board Members	7,050	7,050

1. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

**BOARD OF EXAMINERS OF PSYCHOLOGISTS**  
(Continued)

2. **Transfer For Health Professions Council.** Funds appropriated above in Strategy A.1.1. Certification/Licensure, an amount equal to \$2,687 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Examiners of Psychologists.
3. **Contingent Revenue.** Out of appropriations in Strategy A.1.1., Licensing and Certification, the amount of \$35,000 and out of appropriations in Strategy B.1.1., Complaint Resolution, the amount of \$35,000 is contingent upon the Board of Examiners of Psychologists assessing fees sufficient to generate, during the 1996-97 biennium, \$70,000 excess of the estimate for Account 024 contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995. The Board of Examiners of Psychologists, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of Board of Examiners of Psychologists minutes and other information supporting the estimated revenues to be generated for the 1996-97 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.
4. **Reimbursement of Advisory Committee Members.** Pursuant to V.T.C.S. Article 6252-33, reimbursement of expenses for advisory committee members out of funds appropriated above, is limited to the following advisory committee: Psychological Associate Advisory Committee.

## RACING COMMISSION

	For the Years Ending August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund - Consolidated:</b>		
<b>A. Goal: REGULATION</b>		
To regulate and encourage racing in Texas.		
<b>Outcomes:</b>		
Average Length of Time (Days) to Resolve Complaints	30	30
Total Pari-Mutuel Handle (in Millions)	577	638
Total Take to the State Treasury From Pari Mutuel Wagering on Live and Simulcast Races	8,950,000	9,560,000
Annual Attendance at Pari Mutuel Racetracks	4,500,000	4,800,000
Number of Accredited Texas Bred Race Animals Participating in Races	4,786	4,978
<b>A.1.1. Strategy: REGULATE RACETRACK OWNERS</b>	\$ 391,074	\$ 387,212
Monitor racetrack owners and their operations through regulatory and enforcement activities.		
<b>Outputs:</b>		
Number of Warnings to Pari-Mutuel Racetracks Regarding Possible Violations	14	14
Number of Complaints Processed	63	63
Number of Horse Tracks	8	8
Number of Greyhound Tracks	3	3

# **RACING COMMISSION** (Continued)

## **Efficiencies:**

Average Regulatory Cost per Horse Racetrack	37,421	37,413
Average Regulatory Cost per Greyhound Racetrack	66,525	66,512

## **A.2.1. Strategy: REGULATE WAGERING**

\$	324,889	\$	380,495
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Regulate pari-mutuel wagering to maintain an honest racing industry and implement a public information program to increase public confidence in the industry.

## **Outputs:**

Number of Illegal Wagering Investigations Initiated	24	24
Number of Individuals Disciplined or Excluded for Illegal Wagering	14	14

## **Efficiencies:**

Average Cost per Illegal Wagering Investigations	503.88	511.52
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## **A.3.1. Strategy: TEXAS BRED INCENTIVE FUND**

\$	3,862,438	\$	4,270,772
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Administer the Texas Bred Incentive Program by monitoring the Texas bred races and fund, and through timely allocation of funds to the breed registries.

## **Outputs:**

Total Amount of Money Dedicated to Texas Bred Incentive Programs	3,862,438	4,270,772
Number of Breed Registry Audits Conducted	3	3

## **Efficiencies:**

Average Cost per Program Funds Allocated Dispersed or Monitored	.0075	.0068
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## **Total, Goal A: REGULATION**

\$	4,578,401	\$	5,038,479
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## **B. Goal: OCCUPATIONAL LICENSES**

To supervise and regulate the activities of occupational licensees.

## **Outcomes:**

Average Number of Rulings per Occupational Licensee	.036	.033
Recidivism Rate	14%	13%
Rate of Race Animal Irregularities Reported by Race Track Officials and Commission Veterinarians	.5%	.5%
Annual Percent Change in the Number of Race Animal Disqualifications	-5%	-5%

## **B.1.1. Strategy: REGULATE LICENSEES**

\$	981,277	\$	1,112,164
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Administer the occupational licensing program through enforcement of regulations and occupational education and training.

## **Outputs:**

Number of Rulings Issued Against Occupational Licensees	782	697
Number of Occupational Licenses Suspended or Revoked	220	200
Number of Criminal History Checks Conducted by DPS	12,458	13,724

## **Efficiencies:**

Average Regulatory Cost per Licensee	44.43	48.47
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## **B.2.1. Strategy: RACE SUPERVISION**

\$	1,281,286	\$	1,312,116
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Supervise each pari-mutuel race using daily monitoring procedures, including animal drug tests, veterinary inspections, and ruling spot checks, conducted by trained stewards, racing judges, and other officials.

# **RACING COMMISSION** (Continued)

**Outputs:**

Number of Investigations Completed	750	750
Number of Rulings Issued	37,949	37,338
Live Race Dates - Horses	611	651
Live Race Dates - Greyhounds	1,252	1,182
Simulcast Race Dates - Horses	940	1,110
Simulcast Race Dates - Greyhounds	520	520

**Efficiencies:**

Average Regulatory Cost per Race Day	878.87	899.99
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<b>Total, Goal B: OCCUPATIONAL LICENSES</b>	<b>\$ 2,262,563</b>	<b>\$ 2,424,280</b>
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**C. Goal: INDIRECT ADMINISTRATION**

<b>C.1.1. Strategy: CENTRAL ADMINISTRATION</b>	<b>\$ 662,730</b>	<b>\$ 640,740</b>
<b>C.1.2. Strategy: INFORMATION RESOURCES</b>	<b>\$ 147,025</b>	<b>\$ 148,025</b>
<b>C.1.3. Strategy: OTHER SUPPORT SERVICES</b>	<b>\$ 29,936</b>	<b>\$ 29,936</b>

<b>Total, Goal C: INDIRECT ADMINISTRATION</b>	<b>\$ 839,691</b>	<b>\$ 818,701</b>
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<b>Grand Total, RACING COMMISSION</b>	<b>\$ 7,680,655</b>	<b>\$ 8,281,460</b>
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<b>Number of Positions (FTE)</b>	<b>76.5</b>	<b>81.5</b>
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**Schedule of Exempt Positions and Per Diem of Commissioners**

Executive Director, Group 2	\$68,173	\$68,173
Per Diem of Commissioners	6,500	6,500

- Limitation on Travel Reimbursement.** Out of the funds appropriated above, not more than \$1,500 per commissioner may be expended on out-of-state travel and not more than \$3,000 per commissioner may be expended on in-state travel in each year of the biennium.
- Appropriation: Unexpended Balances.** Unexpended balances in excess of \$675,000 remaining in Racing Commission Receipts as of August 31, 1996 are hereby reappropriated for the fiscal year beginning September 1, 1996.
- Appropriation: Track Official Fees and Texas Bred Incentive Program Receipts.** All revenues received from racetracks by the Texas Racing Commission for the purpose of paying track officials' fees are hereby appropriated to the Commission for that purpose. All amounts set aside by the Texas Racing Act for the Texas Bred Incentive Program are hereby appropriated to the Commission for that purpose.
- Criminal History Checks.** Out of the funds appropriated above in Strategy B.1.1., Regulate Licensees, \$414,315 in fiscal year 1996 and \$439,415 in fiscal year 1997 are appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety for costs incurred in conducting criminal history checks on Racing Commission license applicants and renewals. Any additional revenue received from fee increases to cover the costs of criminal history checks is hereby appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety.
- Improvement of Racetrack Inspection and Enforcement Activities.** Funds appropriated above for Strategy A.1.1., Regulate Racetrack Owners, shall be used to establish a standard

## RACING COMMISSION

(Continued)

method for conducting ongoing track compliance inspections and to increase the number of enforcement inspectors.

6. **Sunset Contingency.** Funds appropriated above for fiscal year 1997 for the Texas Racing Commission are made contingent on the continuation of the Texas Racing Commission by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1996 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
7. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the appropriation authority provided herein be within the amount of fee revenue expected to be available. Furthermore, it is also the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency shall exceed the cost of the appropriations, employee matching and other direct operating costs by \$675,000 in each fiscal year. This amount shall be used to repay the General Revenue loans made pursuant to Section 3.09 of the Texas Racing Act.
8. **Texas Bred Incentive Program Awards.** No member of the Racing Commission shall benefit, either directly or indirectly, from funds appropriated above for Strategy A.3.1., Texas Bred Incentive Fund, during the member's tenure on the Commission. The Texas Racing Commission shall take all necessary steps to ensure compliance with this provision.
9. **Contingency Appropriation for House Bill 1305.** Contingent upon the enactment of House Bill 1305, or similar legislation relating to the continuation and functions of the Texas Racing Commission, by the 74th Legislature, Regular Session, the Racing Commission is hereby appropriated \$838,458 for fiscal year 1996 and \$944,288 for fiscal year 1997 out of additional revenues collected pursuant to House Bill 1305 for the purpose of implementing the Act. The Racing Commission is authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy listed above.

## REAL ESTATE COMMISSION

		For the Years Ending	
		August 31, 1996	August 31, 1997
<b>A. Goal: ENSURE STANDARDS</b>			
To determine that applicants for licensure meet legal requirements for real estate license issuance.			
<b>Outcomes:</b>			
Percentage of First-Time Applicants Issued Licenses		74%	74%
Percent of Licensees With No Recent Violations		99%	99%
<b>A.1.1. Strategy: REAL ESTATE LICENSING</b>			
Perform the commission's licensing function by reviewing applications processing criminal records		\$ 1,028,145	\$ 1,028,145

# REAL ESTATE COMMISSION (Continued)

checks; issuing certificates of eligibility to take competency examinations; administering examinations; and issuing licenses.

## Outputs:

Number of Applications Processed	98,900	98,900
Number of Individuals Examined	13,231	13,231
Number of New Licenses Issued to Individuals	11,000	12,000
Number of Licenses Renewed (Individuals)	62,292	56,964

## Efficiencies:

Average Licensing Cost per Individual License Issued	8.05	8.3
Average Cost per Examination Administered	6.68	6.68

## Explanatory:

Dollar Amount of Fees Collected	4,400,000	4,400,000
Number of Currently Licensed Sales Agents	72,729	71,793
Number of Currently Licensed Brokers	42,722	40,166
Number of Currently Licensed Inspectors	1,201	1,189

## B. Goal: ENFORCE REGULATIONS

To act promptly and aggressively to enforce the laws and rules of the commission in a fair and evenhanded manner.

### Outcomes:

Percentage of Complaints Resolved Resulting in Disciplinary Action	10%	10%
Recidivism Rate for Those Receiving Disciplinary Action	2.2%	2.2%
Percentage of Administrative Proceedings Concluded Within 90 Days of Notification to Licensee of Intent to Call Hearing	15%	15%

### B.1.1. Strategy: REAL ESTATE ENFORCEMENT

\$ 524,373 \$ 524,373

Investigate and resolve complaints by reviewing complaints for validity and opening complaint files as indicated and by reviewing investigative reports.

#### Outputs:

Number of Investigations Completed	1,000	1,000
Number of Complaints Resolved	900	900

#### Efficiencies:

Average Cost per Complaint Resolved	666	666
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### B.2.1. Strategy: REAL ESTATE HEARINGS

\$ 80,391 \$ 80,391

Conduct administrative hearings by drafting allegations against respondents, by preparing and setting hearings in unresolved complaint cases, by representing the commission at administrative hearings, and by negotiating and preparing agreed orders.

#### Outputs:

Number of Administrative Proceedings Conducted	60	60
Number of Reprimands and License Suspensions and Revocations Issued	85	85

#### Efficiencies:

Average Cost per Administrative Hearing	1,330	1,330
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#### Explanatory:

Dollar Amount of Penalties Collected

## Total, Goal B: ENFORCE REGULATIONS

\$ 604,764 \$ 604,764

## C. Goal: PROVIDE EDUCATION

To communicate effectively with the public and licensees concerning matters within the commission's jurisdiction.

**REAL ESTATE COMMISSION**  
(Continued)

<b>C.1.1. Strategy:</b> REAL ESTATE PUBLIC EDUCATION	\$	310,620	\$	310,620
Prepare and distribute information describing the functions of the commission and statutory and regulatory provisions.				
<b>Outputs:</b>				
Number of Copies of Agency Newsletter Produced and Distributed		336,000		336,000
Number of Calls Received		262,000		262,000
<b>Efficiencies:</b>				
Average Cost per Edition of Agency Newsletter Produced and Distributed (not per each Newsletter in all Editions)		19,624		19,174
<b>D. Goal:</b> PROTECT/INFORM PUBLIC				
To protect the public and ensure the availability of qualified appraisers by implementing and enforcing the Texas Appraiser Licensing and Certification Act and by providing information to appraisers and the general public for the maintenance of high professional standards and informed consumer decisions in real estate transactions in all areas of Texas. (Art. 6573a V.T.C.S.)				
<b>Outcomes:</b>				
Total Number of Individuals Licensed		5,160		5,440
Average Time (Days) to Resolve Complaints		130		130
Percent of Complaints Resolved Resulting in Disciplinary Action		12%		12%
<b>D.1.1. Strategy:</b> APPRAISER LICENSING	\$	225,063	\$	226,150
Process appraiser license applications; issue licenses and renewals; approve appraisal educational coursework offered by proprietary schools, appraisal organizations, and colleges and universities; and develop standards and agreements for reciprocity with other states for appraiser licensing and certification.				
<b>Outputs:</b>				
Number of License and Certification Applications Processed		2,725		2,650
Number of New Licenses and Certifications Issued to Individuals		525		500
<b>Efficiencies:</b>				
Average Cost per Exam Administered		20		18
Average Cost per Individual License and Certification Issued		132		135
<b>Explanatory:</b>				
Total Number of Individual Licensed or Certified		5,160		5,440
Dollar Amount of Fees Collected		309,875		301,750
Individuals Examined		470		470
<b>D.2.1. Strategy:</b> APPRAISER ENFORCEMENT	\$	47,316	\$	54,468
Investigate and resolve complaints, imposing penalties when appropriate.				
<b>Outputs:</b>				
Number of Investigations Conducted		18		20
Number of Disciplinary Hearings Held		12		16
Complaints Resolved		30		30
<b>Efficiencies:</b>				
Average Cost per Complaint Resolved		550		550
<b>Explanatory:</b>				
Number of Non-Jurisdictional Complaint Received		20		20
Number of Jurisdictional Complaints Received		40		40
Dollar Amount of Penalties Collected				
<b>Total, Goal D:</b> PROTECT/INFORM PUBLIC	\$	272,379	\$	280,618

# **REAL ESTATE COMMISSION** (Continued)

## **E. Goal: REAL ESTATE INDIR ADM & SUPP COSTS**

Indirect Administration

<b>E.1.1. Strategy: INDIRECT ADMINISTRATION</b>	\$ 1,485,588	\$ 1,485,588
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<b>Grand Total, REAL ESTATE COMMISSION</b>	<u>\$ 3,701,496</u>	<u>\$ 3,709,735</u>
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## **Method of Financing:**

General Revenue Fund	\$ 423,280	\$ 431,519
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General Revenue Fund - Consolidated	3,202,116	3,202,116
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Appropriated Receipts	<u>76,100</u>	<u>76,100</u>
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<b>Total, Method of Financing</b>	<u>\$ 3,701,496</u>	<u>\$ 3,709,735</u>
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<b>Number of Positions (FTE)</b>	90.0	90.0
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## **Schedule of Exempt Positions and Per Diem of TREC Commission Members**

Administrator, Group 2	\$58,932	\$58,932
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Per Diem of TREC Commission Members	7,500	7,500
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Per Diem of TALCB Board Members	9,720	9,720
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- Capital Budget, Real Estate Commission.** None of the funds appropriated above for A.1.1., Real Estate Licensing, B.1.2., Real Estate Enforcement, B.2.1., Real Estate Hearings, C.1.1., Real Estate Public Education, and E.1.1., Indirect Administration may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with a "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S. art. 601d § A.

	<u>1996</u>	<u>1997</u>
Out of the General Revenue Fund - Consolidated:		
a. Acquisition of Information Resource Technologies		
(1) Lease Purchase of mainframe CPU, disk, printers, and system software (MELPP)	\$ 67,699	\$ 69,421
(2) Acquisition of hardware and software maintenance	<u>\$ 17,433</u>	<u>\$ 17,433</u>
Total, Capital Budget	<u>\$ 85,132</u>	<u>\$ 86,854</u>

- Appropriation of Residential Service Company Examination Fees.** All monies collected pursuant to Section 24(c), Article 6573b, V.T.C.S., are hereby appropriated to the Texas Real Estate Commission for the purposes of conducting examinations and related activities included within Strategy A.1.1., Real Estate Licensing and Strategy C.1.1., Real Estate Public Education.



**REAL ESTATE COMMISSION**  
(Continued)

3. **Reporting Requirement.** In its annual report, the Real Estate Commission shall provide a schedule showing a breakdown of the number of broker and salesman license renewals and the amount of funds transferred to the Real Estate Research Center.
4. **Appropriation of Receipts, Registry Fees.** The Texas Appraiser Licensing and Certification Board, as an independent subdivision of the Texas Real Estate Commission, is hereby appropriated all fee revenue deposited to the special Appraiser Registry Fund in the State Treasury pursuant to V.T.C.S., Article 6573a.2., Section 13. The appropriation made herein shall be expended only for the purpose specified in Section 13 of V.T.C.S., Article 6573a.2., relating to revenue transmitted to the federal Appraisal Subcommittee.
5. **Appropriation Source for Real Estate Inspector Program.** General Revenue amounts shown in the method of finance include \$66,797 for Strategy A.1.1., Real Estate Licensing, and \$18,277 for Strategy C.1.1., Real Estate Public Education, for each year of the biennium from revenues collected and balances on hand in the Real Estate Inspector Regulation Account, pursuant to V.T.C.S., Article 6573(a).
6. **Transfer Authority.** Any item of appropriation for the Real Estate Commission may be transferred to another item of appropriation upon approval by the Real Estate Commission with the following limitations and exceptions: transfers may not exceed twenty-five (25) percent; funds appropriated for criminal record checks are excluded from transferability; and, appropriated funds for Goal D, Protect and Inform the Public, are also excluded from transferability by the Texas Real Estate Commission.
7. **Appropriation: Real Estate Recovery Fund and Inspector Recovery Fund.** There is hereby appropriated to the Real Estate Commission from the Real Estate Recovery Fund and Inspector Recovery Fund amounts sufficient to recover travel and related expenses incurred for collection of court judgments affecting the funds. Appropriations may not exceed \$4,000 for each year of the biennium.
8. **Reimbursement of Real Estate Broker-Lawyer Advisory Committee.** Pursuant to V.T.C.S., Article 6252.33 and out of funds appropriated above, reimbursement of expenses for advisory committee members is limited to the broker members of the Real Estate Broker-Lawyer Advisory Committee.
9. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.

## SECURITIES BOARD

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: INVESTORS PROTECTION</b>		
To protect investors from fraud and misrepresentation to assure that access to capital is available to business.		
<b>Outcomes:</b>		
Number of Enforcement Actions Taken	277	425
Percentage of Registered Offerings Which Result in Enforcement Actions	.0005%	.0005%
Percentage of Applicants Approved	80%	80%
Percentage of Texas Dealers Inspected	4%	4%
 <b>A.1.1. Strategy: LAW ENFORCEMENT</b>		
Aggressively investigate suspected violations of the Texas Securities Act and work closely with local, state, and federal prosecutors and law enforcement officials to insure that appropriate enforcement action is taken, including the criminal referral, indictment, and conviction of individuals who violate the provisions of the Act.	\$ 1,235,781	\$ 1,235,781
<b>Outputs:</b>		
Number of Investigations Opened	342	376
Number of Criminal Referrals	11	12
 <b>A.2.1. Strategy: SECURITIES REGISTRATION</b>		
Perform a comprehensive, timely, and responsive review of the prospectus and related documentation submitted with securities registration applications. Negotiate with the issuer or its representatives to remove unfair elements from offerings, to insert safeguards for the public, and to assure full disclosure of material considerations to facilitate the registration of offerings. Refer suspected fraudulent offerings to enforcement personnel.	\$ 703,500	\$ 703,500
<b>Outputs:</b>		
Number of Securities Applications Processed	16,226	18,502
<b>Explanatory:</b>		
Revenues Deposited to the State Treasury From Securities Applications	44,500,000	45,000,000
 <b>A.3.1. Strategy: DEALER REGISTRATION</b>		
Perform an extensive, timely, and responsive review of applications; conduct criminal and disciplinary investigation of applicants by contacting other law enforcement and regulatory organizations; ensure compliance with examination requirements; and oppose registration of unqualified applicants.	\$ 368,288	\$ 368,288
<b>Outputs:</b>		
Number of New Applications Reviewed	39,000	39,500
<b>Explanatory:</b>		
Revenues Deposited to the State Treasury From Dealer/Agent Applications	28,450,000	29,000,000

**SECURITIES BOARD**  
(Continued)

<b>A.4.1. Strategy:</b> DEALER INSPECTIONS	\$ 132,184	\$ 132,184
Perform a comprehensive inspection of records to ensure continuing compliance with statutory and rule requirements.		
<b>Outputs:</b>		
Number of Inspections Conducted	70	75
<b>Efficiencies:</b>		
Average Cost per Inspection	1,888	1,762
<b>Total, Goal A: INVESTORS PROTECTION</b>	<b>\$ 2,439,753</b>	<b>\$ 2,439,753</b>
<b>B. Goal:</b> INDIRECT ADMINISTRATION		
<b>B.1.1. Strategy:</b> CENTRAL ADMINISTRATION	\$ 529,323	\$ 529,323
<b>B.1.2. Strategy:</b> INFORMATION RESOURCES	\$ 161,439	\$ 161,439
<b>B.1.3. Strategy:</b> OTHER SUPPORT SERVICES	\$ 84,378	\$ 84,378
<b>Total, Goal B: INDIRECT ADMINISTRATION</b>	<b>\$ 775,140</b>	<b>\$ 775,140</b>
<b>Grand Total, SECURITIES BOARD</b>	<b>\$ 3,214,893</b>	<b>\$ 3,214,893</b>
<b>Method of Financing:</b>		
General Revenue Fund	\$ 3,200,893	\$ 3,200,893
Appropriated Receipts	14,000	14,000
<b>Total, Method of Financing</b>	<b>\$ 3,214,893</b>	<b>\$ 3,214,893</b>
<b>Number of Positions (FTE)</b>	<b>81.0</b>	<b>81.0</b>
<b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Securities Commissioner, Group 2	\$75,000	\$75,000
Per Diem of Board Members	1,290	1,290

1. **Contingent Revenue.** Of the appropriations above, the amounts for the strategy listed below are contingent upon increased activities of the State Securities Board and certification by the Comptroller's Office that these activities will generate at least \$250,000 in excess of the estimate for Object Code 3175 contained in the *Biennial Revenue Estimate* 1996-97, Comptroller of Public Accounts, January 10, 1995, and deposited by the State Securities Board to the General Revenue Fund:

<u>Strategy</u>	<u>1996</u>	<u>1997</u>
A.1.1 Enforcement	\$70,000	\$70,000

## BOARD OF TAX PROFESSIONAL EXAMINERS

For the Years Ending	
August 31, 1996	August 31, 1997

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: OVERSIGHT

To actively establish and maintain a registration and certification process which ensures that all persons engaged in property tax appraisal, assessment, and collection who are registered with the board are either certified or advancing on schedule toward certification.

##### Outcomes:

Percent of Registrants Certified	70%	70%
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##### A.1.1. Strategy: CERTIFICATION PROGRAM

Manage a certification program by conducting exams, registering eligible individuals, administering a continuing education program, and distributing information to local officials and registrants.

##### Outputs:

Number of Persons Certified/Recertified	850	850
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Individuals Examined	400	400
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##### Efficiencies:

Average Licensing Cost per Individual License Issued	30	30
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##### Explanatory:

Total Number of Individuals Licensed	3,700	3,700
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#### B. Goal: ETHICAL STANDARDS

To ensure compliance with professional and ethical standards by enforcing the provisions of the Property Taxation Professional Certification Act and board rules, providing guidance on ethics to registrants and the public, and responding to complaints against registrants.

##### Outcomes:

Percentage of Cases in Process Within 90 Days	100%	100%
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Percent of Complaints Resulting in Disciplinary Action	20%	20%
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##### B.1.1. Strategy: ADJUDICATION

Provide registrants with guidance to thoroughly familiarize them with board rules on ethics and process questions and complaints quickly in compliance with law and rules.

##### Outputs:

Complaints Resolved	12	12
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##### Efficiencies:

Average Time for Complaint Resolution	3	3
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#### C. Goal: QUALITY EDUCATION

To ensure that quality property tax education courses are available to registrants and that course sponsors and instructors meet board standards.

##### Outcomes:

Number of Approved Courses Presented	45	45
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# **BOARD OF TAX PROFESSIONAL EXAMINERS** (Continued)

<b>C.1.1. Strategy:</b> COURSE DEVELOPMENT	\$ 14,445	\$ 14,445
Oversee the education program of tax professionals by contracting for course development, reviewing and approving courses, enforcing standards for sponsors and instructors, and conducting a student- based evaluation program.		
<b>Grand Total, BOARD OF TAX PROFESSIONAL EXAMINERS</b>	<u>\$ 151,926</u>	<u>\$ 148,349</u>
<b>Number of Positions (FTE)</b>	4.0	4.0
<b>Schedule of Exempt Positions</b>		
Executive Director, Group 1	\$43,417	\$43,417
<p>1. <b>Appropriations Limited to Revenue Collections.</b> It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.</p> <p>2. <b>Fees Established.</b> To provide for the recovery of costs for the preceding appropriations, the following fee rates are established pursuant to V.T.C.A., Government Code, Sections 316.041-316.045, to be effective during fiscal years 1996 and 1997 beginning on September 1, 1995:</p>		
(1) Registration Fee	\$45	
(2) Annual Renewal Fee	\$45	

## **PUBLIC UTILITY COMMISSION OF TEXAS**

	For the Years Ending August 31, 1996	August 31, 1997
<b>A. Goal: JUST &amp; REASONABLE RATES</b>		
To serve the public interest by ensuring that regulated electric and telecommunications utilities provide high quality services meeting the present and future needs of their customers at rates that are just and reasonable.		
<b>Outcomes:</b>		
Weighted Average of Earned Rates of Return on Equity in Texas as a Percentage of the Allowed Rates of Return on Equity Granted by Regulatory Agencies Nationwide for Electric Utilities	100%	100%

**PUBLIC UTILITY COMMISSION OF TEXAS**  
(Continued)

Weighted Average of Earned Rates of Return on Equity in Texas as a Percentage of the Allowed Rates of Return on equity Granted by Regulatory Agencies Nationwide for Telephone Utilities	100%	105%
Weighted Average of Single-Line Residential Telephone Rates in Texas as a Percentage of the National Average	73.9%	73.5%
Average Cost of Electricity per kWh in Texas for Residential Customers as a Percentage of the National Average	94.51%	94.59%
Average Cost of Electricity per kWh in Texas for Industrial Customers as a Percentage of the National Average	88.89%	88.97%
Average Southwestern Bell Intrastate Access Charges as a Percent of the Average of Bell Operating Company Intrastate Access Charges in Comparable States	139%	143%
Percentage of Households in Texas with Telephone Service in Place	92.1%	92.1%
Percent of Statewide Capacity Above Appropriate Reserve Margin	10.5%	8.5%
Percent of Statewide Telephone Subscribers With Access to Advanced Custom Calling Features	87.1%	87.1%
Percent of Subscriber Lines that are Served by Digital Switches in Texas	51%	52%
<b>A.1.1. Strategy: UTILITY RATES</b>	\$ 4,971,260	\$ 4,639,586
In docketed cases and hearings, evaluate revenue needs, costs, and rate design for reasonableness and compliance with the law; review accounting and technical issues, invested capital, rate of return, sale-transfer-merger issues, and rate issues in docketed complaints and depreciation cases; evaluate tariffs.		
<b>Outputs:</b>		
Number of Docketed Rate Cases Completed	95	99
Number of Docketed Non-Rate and Non-CCN Cases Completed	74	79
Number of Docketed Cases Reviewed by Staff During the Period	890	505
<b>Efficiencies:</b>		
Average Cost per Major Electric Rate Case	351,000	351,000
<b>Explanatory:</b>		
Typical monthly Residential Electric Bill in Texas per 500 KWH as a Percentage of the National Average	97.51%	97.7%
<b>A.1.2. Strategy: UTILITY MONITORING</b>	\$ 694,034	\$ 582,525
Review utility earnings for reasonableness and recommend rate adjustments if appropriate; conduct audits of utility policies, practices, and procedures; conduct management audits of utility operations, affiliate transactions, and cost allocations between regulated/non-regulated activities; issue registrations and licenses.		
<b>Outputs:</b>		
Number of Utilities for Which a Detailed Review of Earnings is Conducted	12	12
<b>Efficiencies:</b>		
Average Cost per Management Audit Conducted	18,475	19,050
<b>A.1.3. Strategy: UTILITY STANDARDS</b>	\$ 737,319	\$ 671,190
Establish standards for utility service quality and availability; adopt universal telecommunications service standards and administer the Relay Texas program; respond to information requests; investigate		

**PUBLIC UTILITY COMMISSION OF TEXAS**  
(Continued)

all consumer complaints; monitor utility service with performance reports and field investigations; monitor operations efficiency; review utility billing and metering; review unusual events affecting service delivery and cost.

**Outputs:**

Number of Consumer Complaints Concluded	8,000	8,000
Number of Information Requests or Inquiries Processed	100,000	100,000

**Efficiencies:**

Average Number of Days to Conclude Consumer Complaints	35	35
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**Explanatory:**

Percentage of Access Lines With Lifeline Services Capability	82%	82.17%
Percentage of Time Electric Generating Units Statewide Are Available for Use	86.2%	86.4%

<b>A.2.1. Strategy: ELECTRIC UTILITY PLANNING</b>	\$ 732,251	\$ 683,439
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Encourage public participation in utility planning and informal resolution of planning issues; assess demand for and supply of electricity; determine the need for additional resources; assess the costs, risks, and environmental impacts of all reasonable resource alternatives; require resources offered by third parties to be considered; license or certify new resources selected to provide service; monitor utility construction and resources acquisition programs and administer the certificated service area boundaries for regulated utilities.

**Outputs:**

Number of Utility Resource Plans Reviewed	9	9
Number of Certificate of Convenience and Necessity (CCN) Applications for Transmission Lines and Power Plants Reviewed	17	19

<b>A.2.2. Strategy: TELECOMMUNICATIONS PLAN</b>	<u>\$ 103,570</u>	<u>\$ 80,450</u>
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Conduct inventories of services; evaluate costs and benefits of advanced services; assess equity issues; develop policies, and administer certificated service area boundaries.

**Outputs:**

Number of Certificate of Convenience and Necessity (CCN) Applications to Amend Service Area Boundaries and Other Boundary Applications Reviewed	18	18
Number of Construction Reports Reviewed	30	30

<b>Total, Goal A: JUST &amp; REASONABLE RATES</b>	<u>\$ 7,238,434</u>	<u>\$ 6,657,190</u>
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**B. Goal: TRANSITION TO COMPETITION**

To address evolving issues in the provision of electric and telecommunications services by encouraging an orderly and efficient transition to greater levels of competition, and the deployment of advanced technologies.

**Outcomes:**

Percentage of Annual Statewide Electric Energy Provided by Nontraditional Energy Sources	8.6%	8.7%
Percentage of Commission Public Records Available in an Indexed Electronic Format	2.5%	10%

**PUBLIC UTILITY COMMISSION OF TEXAS**  
(Continued)

<b>B.1.1. Strategy:</b> TECHNOLOGY & COMPETITION	\$ 278,465	\$ 259,913
Monitor technology development, status of competition, changes in business practices and Federal and State law, and regulatory developments in other states for long range regulatory policy.		
<b>Outputs:</b>		
Number of Rules Adopted or Amended Relating to Competition Issues	8	7
<b>Explanatory:</b>		
Number of Telecommunications Utilities Registered Or Certificated in Texas	650	650
<b>B.1.2. Strategy:</b> RULE ADOPTION	<u>\$ 688,232</u>	<u>\$ 642,372</u>
Review Commission rules, policies and operations.		
<b>Efficiencies:</b>		
Average Number of Days to Complete Docketed Electric Rate Cases	425	400
<b>Total, Goal B: TRANSITION TO COMPETITION</b>	<u>\$ 966,697</u>	<u>\$ 902,285</u>
<b>C. Goal:</b> INDIRECT ADMINISTRATION		
<b>C.1.1. Strategy:</b> CENTRAL ADMINISTRATION	\$ 1,457,554	\$ 1,334,127
<b>C.1.2. Strategy:</b> INFORMATION RESOURCES	\$ 451,830	\$ 320,432
<b>C.1.3. Strategy:</b> OTHER SUPPORT SERVICES	<u>\$ 259,969</u>	<u>\$ 238,647</u>
<b>Total, Goal C: INDIRECT ADMINISTRATION</b>	<u>\$ 2,169,353</u>	<u>\$ 1,893,206</u>
<b>Grand Total, PUBLIC UTILITY COMMISSION OF TEXAS</b>	<u>\$ 10,374,484</u>	<u>\$ 9,452,681</u>
<b>Method of Financing:</b>		
General Revenue Fund	\$ 9,982,484	\$ 9,060,681
General Revenue Fund - Consolidated	190,000	190,000
Appropriated Receipts	200,000	200,000
Interagency Contracts	<u>2,000</u>	<u>2,000</u>
<b>Total, Method of Financing</b>	<u>\$ 10,374,484</u>	<u>\$ 9,452,681</u>
<b>Number of Positions (FTE)</b>	215.0	215.0
<b>Schedule of Exempt Positions</b>		
Executive Director, Group 4	\$74,263	\$74,263
Commissioners, Group 4	(3) 75,748	(3) 75,748

- Capital Budget, Public Utility Commission.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above for fiscal year 1996 and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with a "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the



**PUBLIC UTILITY COMMISSION OF TEXAS**  
(Continued)

provisions of V.T.C.S. art. 601d § A. Lease-purchase payments for expenses greater than \$101,824 shall be made only from appropriated fee receipts as provided by rider 2, Appropriation of Receipts, Electronic Information System.

	<u>1996</u>	<u>1997</u>
a. Lease Payments to the Master Equipment Lease Purchase Program		
(1) Lease Purchase of database servers, printers, microcomputers, computer software, telecommunications hardware and software for an electronic information system (MELPP)	\$ <u>101,824</u>	\$ <u>90,392</u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 101,824	\$
Appropriated Receipts	<u>                    </u>	<u>90,392</u>
Total, Method of Financing	\$ <u>101,824</u>	\$ <u>90,392</u>

2. **Appropriation of Receipts, Electronic Information System.** Fee revenue derived from implementation of an electronic information system for public access to records on file with the agency is hereby appropriated to the Public Utility Commission for the same purposes. Of these appropriated receipts, an amount not to exceed \$101,824 is restricted and shall be used for reimbursement of the General Revenue Fund for capital budget payments made during fiscal year 1996. The balance of fee receipts may be used only for implementation of capital budget items. In the event that the electronic information system project is not implemented, the agency's General Revenue Fund appropriations for either fiscal year 1996 or 1997 shall be reduced by \$101,824.
3. **Sunset Contingency.** Funds appropriated above for fiscal year 1997 for the Public Utility Commission are made contingent on the continuation of the Public Utility Commission by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1996 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
4. **Appropriation of Receipts, Per-Line Blocking Certificate Program.** The Public Utility Commission is hereby appropriated all fees and assessments collected pursuant to Section 87C(d) of the Public Utility Regulatory Act during each fiscal year of the biennium for the purpose of recovering the additional expenses incurred by the commission in the administration of the per-line blocking certification program for caller identification services.
5. **Transfer Authority.** The Public Utility Commission is authorized to transfer appropriations from one appropriation item to another in amounts not to exceed 35 percent of the item from which the transfer is made for the fiscal year.
6. **Reimbursement of Advisory Committee Members.** Pursuant to V.T.C.S., Article 6252.33 and out of funds appropriated above, reimbursement of expenses for advisory committee members is limited to the following advisory committee: Relay Texas Advisory Committee.

**PUBLIC UTILITY COMMISSION OF TEXAS**  
(Continued)

7. **Agency Relocation to the Travis Building.** State personnel and property comprising the Public Utility Commission shall be relocated to the Travis Building at the earliest possible date, but not later than August 31, 1996.
8. **Contingency Appropriation for House Bill 2128 and Senate Bill 373.** Contingent upon the enactment of House Bill 2128 or similar legislation by the 74th Legislature, Regular Session, relating to the regulation of telecommunications utilities, the Public Utility Commission is hereby appropriated \$1,399,530 for fiscal year 1996 and \$1,256,034 for fiscal year 1997. In addition, contingent upon the enactment of Senate Bill 373, or similar legislation, by the 74th Legislature, Regular Session, relating to the regulation of electric utilities, the Public Utility Commission is hereby appropriated \$1,198,432 for fiscal year 1996 and \$1,191,668 for fiscal year 1997. Appropriations are made out of revenues collected pursuant to Section 3.606 of the Public Utility Regulatory Act. The Public Utility Commission is hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above. Funds appropriated by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

**OFFICE OF PUBLIC UTILITY COUNSEL**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>Out of the General Revenue Fund:</b>		
<b>A. Goal: EQUITABLE ELECTRIC RATES</b>		
To represent residential and small business consumers aggressively in electric utility matters that come before the Public Utility Commission to ensure fair and reasonable rates.		
<b>Outcomes:</b>		
Percentage of Major Electric Rate Cases in Which OPUC Participates	15%	15%
Percentage of Significant Fuel Rate Cases in Which OPUC Participates	10%	10%
Percentage of Significant Appellate Cases in Which OPUC Participates	50%	50%
Direct and Shared Savings for Electric Utility Customers Resulting from OPUC Participation in Electric Rate and Appellate Cases, Excluding Integrated Resource Planning Proceedings (In Millions)	150	150
<b>A.1.1. Strategy: ELECTRIC CASES</b>	\$ 686,051	\$ 640,056
Participate in major electric rate, significant rulemaking and non-rate, and significant fuel rate proceedings. Review and analyze information, present testimony, and submit legal pleadings in proceedings affecting electric utility customers.		

**OFFICE OF PUBLIC UTILITY COUNSEL**  
(Continued)

**Outputs:**

Number of Major Electric Rate Cases in Which OPUC Participates	3	3
Number of Significant Fuel Rate Proceedings in Which OPUC Participates	2	2
Number of Significant Electric Appellate Cases in Which OPUC Participates	22	22

**Efficiencies:**

Average Cost Per Major Electric and Fuel Rate Case Participation	17,116	17,116
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**B. Goal: EQUITABLE TELEPHONE RATES**

To represent residential and small business consumers aggressively by providing comprehensive telecommunications analysis and representation at the Public Utility Commission to ensure that residential and small commercial consumers are provided adequate telephone service at reasonable rates.

**Outcomes:**

Percentage of Major Telephone Rate Cases in Which OPUC Participates	3%	3%
Percentage of Significant Telecommunications Appellate Cases in Which OPUC Participates	50%	50%

**B.1.1. Strategy: TELEPHONE CASES**

\$ 584,886    \$ 551,435

Participate in major telephone rate cases and significant telecommunications rule-making and non-rate proceedings. Review and analyze information, present testimony, and submit legal pleadings in telecommunications proceedings affecting telecommunications customers.

**Outputs:**

Number of Major Telephone Rate Cases in Which OPUC Participates	3	3
Number of Significant Telecommunications Appellate Cases in Which OPUC Participates	6	6

**Efficiencies:**

Average Cost Per Major Telephone Rate Case Participation	6,500	6,500
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**C. Goal: RESOURCE PLANNING**

Provide assessment and action for electric utilities' resource planning, which includes adequately researching and advocating conservation methods and generating technologies that minimize costs to ratepayers and damage to the environment.

**Outcomes:**

Percent of Resource Planning Proceedings in Which OPUC Participates	5%	5%
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**C.1.1. Strategy: RESOURCE PLANNING CASES**

\$ 76,314    \$ 72,132

Provide analysis and testimony in certifications, avoided cost, rule-making, and other resource planning proceedings that affect Texas energy consumers.

**Outputs:**

Number of Resource Planning Proceedings in Which OPUC Participates	3	3
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**OFFICE OF PUBLIC UTILITY COUNSEL**  
(Continued)

**Efficiencies:**

Average number of staff hours per proceeding	221	221
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**Grand Total, OFFICE OF PUBLIC UTILITY  
COUNSEL**

\$ 1,347,251	\$ 1,263,623
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**Number of Positions (FTE)**

21.0	21.0
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**Schedule of Exempt Positions**

Public Counsel, Group 2	\$69,283	\$69,283
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1. **Agency Relocation to the Travis Building.** State personnel and property comprising the Office of Public Utility Counsel shall be relocated to the Travis Building at the earliest possible date, but not later than August 31, 1996.
2. **Sunset Contingency.** Funds appropriated above for fiscal year 1997 for the Office of Public Utility Counsel are made contingent on the continuation of the Office of Public Utility Counsel by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1996 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
3. **Contingency Appropriation for House Bill 2128 and Senate Bill 373.** Contingent upon the enactment of House Bill 2128 or similar legislation by the 74th Legislature, Regular Session, relating to the regulation of telecommunications utilities, the Office of Public Utility Counsel is hereby appropriated \$269,780 for fiscal year 1996 and \$255,568 for fiscal year 1997. In addition, contingent upon the enactment of Senate Bill 373, or similar legislation, by the 74th Legislature, Regular Session, relating to the regulation of electric utilities, the Office of Public Utility Counsel is hereby appropriated \$330,274 for fiscal year 1996 and \$273,692 for fiscal year 1997. Appropriations are made out of revenues collected pursuant to Section 3.606 of the Public Utility Regulatory Act. The Office of Public Utility Counsel is hereby authorized to transfer the appropriation made pursuant to this provision to the appropriate strategy items listed above. Funds appropriated by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

## BOARD OF VETERINARY MEDICAL EXAMINERS

For the Years Ending	
August 31, 1996	August 31, 1997

### Out of the General Revenue Fund - Consolidated:

#### A. Goal: VETERINARY REGULATION

To establish and implement reasonable standards for veterinary practice, investigate complaints, and enforce the Veterinary Licensing Act (Art. 8890 V.A.C.S.) to assure that safe and effective veterinary services are delivered to the citizens of Texas.

##### Outcomes:

Percent of Licensees with No Recent Violations	99%	99%
Percent of Complaints Resulting in Disciplinary Action	10%	10%

##### A.1.1. Strategy: LICENSING

	\$ 131,329	\$ 119,925
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Operate an efficient and comprehensive veterinary licensure program to include initial licensure by examination and the ongoing renewal of licenses.

##### Outputs:

Number of New Licenses Issued to Individuals	201	203
Number of Licenses Renewed (Individuals)	5,280	5,378
Individuals Examined	608	614

##### Efficiencies:

Average Licensing Cost for Individual License	4.13	4.13
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##### A.2.1. Strategy: ENFORCEMENT

	\$ 356,569	\$ 350,189
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Investigate all complaints received and take disciplinary action against veterinarians who have violated the law and/or board rules and conduct a compliance program to secure voluntary compliance with the law and board's rules.

##### Outputs:

Number of Complaints Resolved	154	160
Number of Disciplinary Hearings	6	6

##### Efficiencies:

Average Cost per Complaint Resolved	1,065	1,046
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##### Explanatory:

Non-Jurisdictional Complaints Received	10	11
Jurisdictional Complaints Received	184	190

#### Total, Goal A: VETERINARY REGULATION

	\$ 487,898	\$ 470,114
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#### B. Goal: PURCHASE AND GRADING

Purchase and Grading of National Exam

##### B.1.1. Strategy: PURCHASE AND GRADING

	\$ 30,000	\$ 30,000
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Purchase and Grading of National Exam, estimated and non-transferable

#### C. Goal: PEER ASSISTANCE

##### Outcomes:

Success Rate for Participants in Peer Assistance Program	67%	67%
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## BOARD OF VETERINARY MEDICAL EXAMINERS (Continued)

<b>C.1.1. Strategy:</b> PEER ASSISTANCE	\$ 4,500	\$ 4,500
<b>Outputs:</b>		
People Served	10	10
People Expected to Successfully Complete Program	6	6
 <b>Grand Total, BOARD OF VETERINARY MEDICAL EXAMINERS</b>	 <b>\$ 522,398</b>	 <b>\$ 504,614</b>
 <b>Number of Positions (FTE)</b>	 8.5	 8.5
 <b>Schedule of Exempt Positions and Per Diem of Board Members</b>		
Executive Director, Group 1	\$48,216	\$48,216
Per Diem of Board Members	7,500	7,500
<p>1. <b>Appropriations Limited to Revenue Collections.</b> It is the intent of the Legislature that fees, fines and miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected fee revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.</p> <p>2. <b>Transfer for Health Professions Council.</b> Out of funds appropriated above in Strategy A.1.1. Licensing, an amount equal to \$2,363 each year (1996 and 1997) shall be used for transfer to, and expenditure by, the Health Professions Council as the pro rated assessment of the Board of Veterinary Medical Examiners.</p>		

## WORKERS' COMPENSATION COMMISSION

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: SAFE &amp; HEALTHY WORKPLACES</b>		
To promote safe and healthy work environments.		
<b>Outcomes:</b>		
Statewide Incidence Rate of Injuries and Illnesses per 100 Full-Time Employees	7.9%	7.9%
Percentage of Eligible State Agencies Provided Risk Management Assistance	95%	95%
 <b>A.1.1. Strategy:</b> HEALTH & SAFETY SERVICES	 \$ 3,929,556	 \$ 3,930,365
Develop and provide health and safety services such as needs analyses, education, consultations, and inspections to employers, to employees, and to other entities in the Texas workplace.		
<b>Outputs:</b>		
Number of Occupational Safety and Health Consultations (OSHCON) Made	3,200	3,200

**WORKERS' COMPENSATION COMMISSION**  
(Continued)

**Efficiencies:**

Average Cost per OSHCON Consultation	717	717
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<b>A.1.2. Strategy:</b> EXTRA-HAZARDOUS EMPLOYERS Identify possible extra-hazardous employers by notifying employers of status and conducting administrative reviews; require development of extra-hazardous safety plans, and verify extra-hazardous and rejected risk employer compliance with safety plans.	\$ 962,081	\$ 962,081
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**Outputs:**

Number of Notifications Sent to Employers Meeting Minimum Criteria for Classification as Extra-Hazardous	300	300
Number of Extra-Hazardous Employer Inspections Conducted	200	200
Number of Extra-Hazardous and Rejected Risk Employer Safety Programs Implemented	465	465

**Efficiencies:**

Average Cost per Extra-Hazardous Inspection Conducted	977	978
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<b>A.2.1. Strategy:</b> RISK MANAGEMENT PROGRAM Establish statewide risk management guidelines, work with agencies to develop programs that meet the guidelines, conduct on-site risk management program reviews, and provide safety evaluations, consultations, and training.	\$ 838,825	\$ 838,825
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**Outputs:**

Number of Risk Management Program Reviews Conducted	50	50
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**Efficiencies:**

Average Cost Per State Agency Provided with Risk Management Services	7,857	7,862
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<b>Total, Goal A: SAFE &amp; HEALTHY WORKPLACES</b>	<b>\$ 5,730,462</b>	<b>\$ 5,731,271</b>
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**B. Goal: CLAIMS/DISPUTES SVCS**

To assure the delivery of appropriate benefits and to minimize and resolve disputes.

**Outcomes:**

Percentage of TWCC Forms Used to Establish Reportable Claims With 1-7 Days Lost Time and Income/Indemnity Claims Processed in 3 Days or Less	85%	90%
Percentage of All Benefit Dispute Cases Resolved by the Commission's Informal Dispute Resolution System	70%	70%
Percentage of All Benefit Dispute Cases Resolved by the Commission's Formal Dispute Resolution System (Beginning With Contested Case Proceedings)	23%	23%
Average Medical Cost per Texas Workers' Compensation Case	4,800	4,600
Average Number of Days for the Required Initial Benefit Payment to be Issued to Injured Workers	16.8	16.5
Percentage of Estimated Premiums of Self-Insured Employers to Total Private Workers' Compensation Premiums	18.2%	21.7%

<b>B.1.1. Strategy:</b> CLAIM FILES PROCESSING Establish and maintain injured worker claim files and receive eligible claim information, medical bills, and carrier documents electronically.	\$ 10,077,468	\$ 10,082,924
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**WORKERS' COMPENSATION COMMISSION**  
(Continued)

governmental entities and other participants, and compile compliance information on the performance of the workers' compensation system.

**Outputs:**

Number of Fraud Investigations Completed	870	870
Number of Administrative Violation Investigations Completed, Excluding Fraud	3,500	3,500

**Efficiencies:**

Average Cost per Fraud Investigation Completed	1,029	1,029
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**B.5.1. Strategy: SELF-INSURANCE REGULATION**

	<u>\$ 791,884</u>	<u>\$ 791,884</u>
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Ensure that certified self-insuring employers meet statutory financial and safety requirements through a process of determining, renewing, and revoking certification.

**Outputs:**

Number of Self-Insurance Applications or Renewals Processed	94	116
Number of Self-Insurance Applicants or Renewals Certified	80	95

**Efficiencies:**

Average Cost per Self-Insurance Applications or Renewals Processed	8,735	7,083
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**Total, Goal B: CLAIMS/DISPUTES SVCS**

	<u>\$ 25,036,770</u>	<u>\$ 25,045,746</u>
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**C. Goal: INDIRECT ADMINISTRATION**

**C.1.1. Strategy: CENTRAL ADMINISTRATION**

	\$ 4,364,836	\$ 4,381,462
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**C.1.2. Strategy: INFORMATION RESOURCES**

	\$ 5,500,293	\$ 5,515,682
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**C.1.3. Strategy: OTHER SUPPORT SERVICES**

	\$ 1,075,320	\$ 1,075,320
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**C.1.4. Strategy: REGIONAL ADMINISTRATION**

	<u>\$ 453,445</u>	<u>\$ 452,816</u>
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**Total, Goal C: INDIRECT ADMINISTRATION**

	<u>\$ 11,393,894</u>	<u>\$ 11,425,280</u>
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**Grand Total, WORKERS' COMPENSATION COMMISSION**

	<u>\$ 42,161,126</u>	<u>\$ 42,202,297</u>
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**Method of Financing:**

General Revenue Fund	\$ 34,875,175	\$ 34,916,346
General Revenue Fund - Consolidated	2,987,893	2,987,893
Federal Funds	1,591,577	1,591,577
Appropriated Receipts	1,539,151	1,539,151
Interagency Contracts	865,825	865,825
Earned Federal Funds	<u>301,505</u>	<u>301,505</u>

**Total, Method of Financing**

	<u>\$ 42,161,126</u>	<u>\$ 42,202,297</u>
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**Number of Positions (FTE)**

	1,266.0	1,266.0
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**Schedule of Exempt Positions**

Executive Director, Group 3	\$78,000	\$78,000
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1. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the

# WORKERS' COMPENSATION COMMISSION

(Continued)

purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Equipment Lease Purchase Program" or for items with an "(MELPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of V.T.C.S., Art. 601d, Sec. 9A.

	1996	1997
Out of the General Revenue Fund:		
a. Lease Payments to the Master Equipment Lease Purchase Program		
(1) Lease Payments (MELPP) for 1992-93 Acquisitions	\$ 106,177	\$ 57,610
(2) Direct Access Storage Device (MELPP payments for 1994-95 acquisitions)	\$ 146,702	\$ 145,491
Total, Capital Budget	\$ 252,879	\$ 203,101

- Appropriation of Certain Fees.** Revenues collected by the commission as reproduction fees, third party reimbursements, publication fees, and fees collected for audits, inspections, and consultations are hereby appropriated to the Workers' Compensation Commission for the biennium beginning September 1, 1995. However, in no event shall the total amount of all receipts appropriated pursuant to both this provision and the General Provisions of this Act exceed \$1,439,151 for fiscal year 1996 and \$1,439,151 for fiscal year 1997.
- Appropriation of Administrative Penalties.** Revenues collected by the commission as administrative penalties are hereby appropriated to the commission in an amount not to exceed \$100,000 for each fiscal year, provided that expenditure of funds appropriated pursuant to this provision shall be limited to such expenses as may be necessary to prosecute administrative violations under the Texas Workers' Compensation Act, including costs of conducting Administrative Procedure Act hearings.
- Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that revenue generated pursuant to Sections 407.041, 407.102 and 407.103 of the Labor Code cover, at a minimum, the cost of the appropriations made above out of the General Revenue Fund - Consolidated including employee matching costs and any other direct operating costs. In the event that actual and/or projected revenue generated pursuant to the aforementioned statutory provisions are insufficient to offset the General Revenue Fund-Consolidated appropriation and related costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.
- Sunset Contingency.** Funds appropriated above for fiscal year 1997 for the Workers' Compensation Commission are made contingent on the continuation of the Workers' Compensation Commission by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1996 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.
- Contingency Appropriation for House Bill 1589.** Contingent upon the enactment of House Bill 1589, or similar legislation creating a State Office of Risk Management, by the 74th Legislature, Regular Session, the Workers' Compensation Commission is hereby appropriated

**WORKERS' COMPENSATION COMMISSION**  
(Continued)

\$1,363,184 for the fiscal biennium beginning September 1, 1995 out of the General Revenue Fund for the purpose of implementing that Act. Funds appropriated by this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

7. **Implementation of House Bill 1589.** Out of funds appropriated above in item A.2.1., Risk Management Program, \$838,825 in 1996 and \$838,825 in 1997 shall be allocated for the implementation of House Bill 1589, if such Act should become law.

**Research and Oversight Council on Workers' Compensation**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>Out of the Research and Oversight Council Account:</b>		
<b>A. Goal:</b> RESEARCH AND OVERSIGHT		
<b>A.1.1. Strategy:</b> RESEARCH AND OVERSIGHT	\$ 668,490	\$ 668,490
<b>Grand Total,</b> RESEARCH AND OVERSIGHT COUNCIL ON WORKERS' COMPENSATION	<u>\$ 668,490</u>	<u>\$ 668,490</u>
1. <b>Contingency for House Bill 1091.</b> The appropriation of funds made above in Item A.1.1., Research and Oversight, is hereby made contingent upon the enactment of House Bill 1091, or similar legislation creating a Research and Oversight Council on Workers' Compensation, by the 74th Legislature, Regular Session.		
2. <b>Appropriations Limited to Revenue Collections.</b> It is the intent of the Legislature that revenue generated pursuant to Section 404.003 Labor Code cover, at a minimum, the cost of the appropriations made including employee matching costs and any other direct operating costs. In the event that actual and/or projected maintenance tax revenue collections are insufficient to offset agency costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of maintenance tax revenue expected to be available.		

## Retirement and Group Insurance

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: EMPLOYEES RETIREMENT SYSTEM</b>		
<b>A.1.1. Strategy: RETIREMENT CONTRIBUTIONS</b>	\$ 6,605,092	\$ 6,803,245
Provide an actuarially sound level of funding as defined by state law; estimated		
<b>A.1.2. Strategy: GROUP INSURANCE</b>	\$ 10,970,430	\$ 11,017,165
Provide a basic health care and life insurance program for general state employees; estimated		
 <b>Total, Goal A: EMPLOYEES RETIREMENT SYSTEM</b>	 \$ 17,575,522	 \$ 17,820,410
 <b>Grand Total, RETIREMENT AND GROUP INSURANCE</b>	 \$ 17,575,522	 \$ 17,820,410
 <b>Method of Financing:</b>		
General Revenue Fund, estimated	\$ 13,392,298	\$ 13,577,937
General Revenue Fund - Consolidated, estimated	3,920,548	3,976,356
General Revenue Fund - Dedicated, estimated	225,553	228,510
Federal Funds, estimated	605	623
Other Special State Funds, estimated	36,518	36,984
 <b>Total, Method of Financing</b>	 \$ 17,575,522	 \$ 17,820,410

## Social Security

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: COMPTROLLER - SOCIAL SECURITY</b>		
<b>A.1.1. Strategy: STATE MATCH -- EMPLOYER</b>	\$ 8,493,999	\$ 8,748,819
Provide an employer match for Social Security contributions; estimated		
<b>A.1.2. Strategy: STATE MATCH -- EMPLOYEE</b>	\$ 3,533,321	\$ 3,533,321
Provide the state's contribution for the employee's share for Social Security; estimated		
 <b>Total, Goal A: COMPTROLLER - SOCIAL SECURITY</b>	 \$ 12,027,320	 \$ 12,282,140
 <b>Grand Total, SOCIAL SECURITY</b>	 \$ 12,027,320	 \$ 12,282,140

**Social Security**  
(Continued)

**Method of Financing:**

General Revenue Fund, estimated	\$ 9,375,820	\$ 9,573,901
General Revenue Fund - Consolidated, estimated	2,642,022	2,698,476
General Revenue Fund - Dedicated, estimated	7,272	7,491
Other Special State Funds, estimated	<u>2,206</u>	<u>2,272</u>
<b>Total, Method of Financing</b>	<u>\$ 12,027,320</u>	<u>\$ 12,282,140</u>

**Lease Payments**

	For the Years Ending	
	August 31, 1996	August 31, 1997
<b>A. Goal: FINANCE CAPITAL PROJECTS</b>		
To provide funding to the General Services Commission for payment to Texas Public Finance Authority for the payment of revenue bond debt service requirements.		
<b>A.1.1. Strategy: LEASE PAYMENTS</b>	<u>\$ 4,458,346</u>	<u>\$ 4,451,152</u>
Make lease payments to the Texas Public Finance Authority on facilities financed through the Texas Public Finance Authority.		
<b>Grand Total, LEASE PAYMENTS</b>	<u>\$ 4,458,346</u>	<u>\$ 4,451,152</u>
<b>Method of Financing:</b>		
General Revenue Fund	\$ 1,671,756	\$ 1,668,737
General Revenue - Consolidated (Insurance Taxes and Fees)	2,710,442	2,706,380
General Revenue Fund - Consolidated	<u>76,148</u>	<u>76,035</u>
<b>Total, Method of Financing</b>	<u>\$ 4,458,346</u>	<u>\$ 4,451,152</u>

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(General Revenue)**

	For the Years Ending August 31, 1996	August 31, 1997
	<u>                    </u>	<u>                    </u>
Accountancy, Board of Public	\$	\$
Administrative Hearings, Office of		
Architectural Examiners, Board of		
Barber Examiners, Board of		
Chiropractic Examiners, Board of		
Cosmetology Commission	1,354,682	1,354,682
Credit Union Department		
Dental Examiners, Board of		
Engineers, Board of Registration for Professional		
Finance Commission of Texas		
Banking, Department of		
Consumer Credit Commissioner, Office of the		
Savings and Loan Department		
Funeral Service Commission	491,821	491,822
Insurance, Department of		
Insurance Counsel, Office of Public	951,046	959,026
Land Surveying, Board of Professional		
Licensing and Regulation, Department of	4,933,959	4,933,960
Contingency Appropriations	<u>694,945</u>	<u>813,006</u>
Total	5,628,904	5,746,966
Medical Examiners, Board of	1,968,581	1,979,146
Nurse Examiners, Board of		
Nurse Examiners, Board of Vocational		
Optometry Board		
Pest Control Board, Structural		
Pharmacy, Board of		
Physical and Occupational Therapy Examiners,		
Executive Council of	793,059	787,232
Plumbing Examiners, Board of		
Podiatry Examiners, Board of		
Psychologists, Board of Examiners of		
Racing Commission		
Real Estate Commission	423,280	431,519
Securities Board, State	3,200,893	3,200,893
Tax Professional Examiners, Board of		
Utility Commission, Public	9,982,484	9,060,681
Rider Appropriations	<u>3,000</u>	<u>-98,824</u>
Total	9,985,484	8,961,857
Utility Counsel, Office of Public	1,347,251	1,263,623
Veterinary Medical Examiners, Board of		
Workers' Compensation Commission	34,875,175	34,916,346
Contingency Appropriations	<u>1,363,184</u>	<u>                    </u>
Total	36,238,359	34,916,346

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(General Revenue)  
(Continued)**

	For the Years Ending	
	August 31, 1996	August 31, 1997
Research and Oversight Council on Workers' Compensation		
Subtotal, Regulatory	<u>\$ 62,383,360</u>	<u>\$ 60,093,112</u>
Retirement and Group Insurance	13,392,298	13,577,937
Social Security	<u>9,375,820</u>	<u>9,573,901</u>
Subtotal, Employee Benefits	<u>\$ 22,768,118</u>	<u>\$ 23,151,838</u>
Lease Payments	<u>1,671,756</u>	<u>1,668,737</u>
TOTAL, ARTICLE VIII - Regulatory	<u>\$ 86,823,234</u>	<u>\$ 84,913,687</u>

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(General Revenue - Consolidated)**

	For the Years Ending August 31, 1996	August 31, 1997
Accountancy, Board of Public	\$ 2,878,488	\$ 2,918,204
Administrative Hearings, Office of		
Architectural Examiners, Board of	1,318,935	1,191,027
Barber Examiners, Board of	522,308	522,308
Chiropractic Examiners, Board of	296,602	296,602
Cosmetology Commission		
Credit Union Department	1,269,040	1,246,575
Dental Examiners, Board of	1,147,911	1,133,291
Engineers, Board of Registration for Professional	1,285,775	1,374,275
Contingency Appropriations	<u>22,000</u>	<u>22,000</u>
Total	1,307,775	1,396,275
Finance Commission of Texas	9,895	9,895
Banking, Department of	10,681,267	9,676,363
Contingency Appropriations	<u>3,273,180</u>	<u>3,198,380</u>
Total	13,954,447	12,874,743
Consumer Credit Commissioner, Office of the	1,650,038	1,527,805
Savings and Loan Department	1,302,801	1,179,803
Contingency Appropriations	<u>733,000</u>	<u>1,213,000</u>
Total	2,035,801	2,392,803
Funeral Service Commission		
Insurance, Department of	42,815,888	42,815,888
Insurance Counsel, Office of Public		
Land Surveying, Board of Professional	293,085	293,085
Licensing and Regulation, Department of		
Medical Examiners, Board of	2,615,958	2,638,520
Nurse Examiners, Board of	2,046,072	2,010,541
Nurse Examiners, Board of Vocational	1,088,623	1,032,355
Optometry Board	289,328	267,929
Pest Control Board, Structural	1,094,962	1,089,515
Contingency Appropriations	<u>66,000</u>	<u>66,000</u>
Total	1,160,962	1,155,515
Pharmacy, Board of	2,316,738	2,224,789
Contingency Appropriations	<u>174,286</u>	<u>157,384</u>
Total	2,491,024	2,382,173
Physical and Occupational Therapy Examiners, Executive Council of		
Plumbing Examiners, Board of	1,314,166	1,317,065
Podiatry Examiners, Board of	138,027	138,227
Psychologists, Board of Examiners of	654,619	656,461



**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(General Revenue - Consolidated)  
(Continued)**

	For the Years Ending August 31, 1996	August 31, 1997
Racing Commission	7,680,655	8,281,460
Contingency Appropriations	<u>838,458</u>	<u>944,288</u>
Total	8,519,113	9,225,748
Real Estate Commission	3,202,116	3,202,116
Securities Board, State		
Tax Professional Examiners, Board of	151,926	148,349
Utility Commission, Public	190,000	190,000
Utility Counsel, Office of Public		
Veterinary Medical Examiners, Board of	522,398	504,614
Workers' Compensation Commission	3,289,398	3,289,398
Research and Oversight Council on Workers' Compensation	<u>                    </u>	<u>                    </u>
Subtotal, Regulatory	<u>\$ 97,173,943</u>	<u>\$ 96,777,512</u>
Retirement and Group Insurance	3,920,548	3,976,356
Social Security	<u>2,642,022</u>	<u>2,698,476</u>
Subtotal, Employee Benefits	<u>\$ 6,562,570</u>	<u>\$ 6,674,832</u>
Lease Payments	<u>2,786,590</u>	<u>2,782,415</u>
TOTAL, ARTICLE VIII - Regulatory	<u>\$ 106,523,103</u>	<u>\$ 106,234,759</u>

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(Federal Funds)**

	For the Years Ending	
	August 31, 1996	August 31, 1997
Accountancy, Board of Public	\$	\$
Administrative Hearings, Office of		
Architectural Examiners, Board of		
Barber Examiners, Board of		
Chiropractic Examiners, Board of		
Cosmetology Commission		
Credit Union Department		
Dental Examiners, Board of		
Engineers, Board of Registration for Professional		
Finance Commission of Texas		
Banking, Department of	186,853	191,757
Consumer Credit Commissioner, Office of the		
Savings and Loan Department		
Funeral Service Commission		
Insurance, Department of		
Insurance Counsel, Office of Public		
Land Surveying, Board of Professional		
Licensing and Regulation, Department of	264,554	264,554
Medical Examiners, Board of		
Nurse Examiners, Board of		
Nurse Examiners, Board of Vocational		
Optometry Board		
Pest Control Board, Structural	100,000	100,000
Pharmacy, Board of		
Physical and Occupational Therapy Examiners,		
Executive Council of		
Plumbing Examiners, Board of		
Podiatry Examiners, Board of		
Psychologists, Board of Examiners of		
Racing Commission		
Real Estate Commission		
Securities Board, State		
Tax Professional Examiners, Board of		
Utility Commission, Public		
Utility Counsel, Office of Public		
Veterinary Medical Examiners, Board of		
Workers' Compensation Commission	1,591,577	1,591,577
Research and Oversight Council on Workers'		
Compensation		
Subtotal, Regulatory	<u>\$ 2,142,984</u>	<u>\$ 2,147,888</u>
Retirement and Group Insurance	605	623
Social Security		
Subtotal, Employee Benefits	<u>\$ 605</u>	<u>\$ 623</u>
Lease Payments		
TOTAL, ARTICLE VIII - Regulatory	<u><u>\$ 2,143,589</u></u>	<u><u>\$ 2,148,511</u></u>

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(Other Funds)**

	For the Years Ending August 31, 1996	August 31, 1997
Accountancy, Board of Public	\$ 50,000	\$ 50,000
Administrative Hearings, Office of	3,445,206	3,381,420
Architectural Examiners, Board of		
Barber Examiners, Board of		
Chiropractic Examiners, Board of		
Cosmetology Commission	80,000	80,000
Credit Union Department		
Dental Examiners, Board of		
Engineers, Board of Registration for Professional		
Finance Commission of Texas		
Banking, Department of		
Consumer Credit Commissioner, Office of the		
Savings and Loan Department		
Funeral Service Commission		
Insurance, Department of	747,495	747,495
Insurance Counsel, Office of Public		
Land Surveying, Board of Professional		
Licensing and Regulation, Department of	2,188,016	2,188,016
Medical Examiners, Board of		
Nurse Examiners, Board of	548,001	548,001
Nurse Examiners, Board of Vocational	30,000	25,000
Optometry Board		
Pest Control Board, Structural		
Pharmacy, Board of		
Physical and Occupational Therapy Examiners,		
Executive Council of		
Plumbing Examiners, Board of		
Podiatry Examiners, Board of		
Psychologists, Board of Examiners of		
Racing Commission		
Real Estate Commission	76,100	76,100
Rider Appropriations	112,000	124,000
Total	188,100	200,100
Securities Board, State	14,000	14,000
Tax Professional Examiners, Board of		
Utility Commission, Public	202,000	202,000
Rider Appropriations		90,392
Contingency Appropriations	2,597,962	2,447,702
Total	2,799,962	2,740,094
Utility Counsel, Office of Public		
Contingency Appropriations	600,054	529,260
Total	600,054	529,260

**RECAPITULATION - ARTICLE VIII**  
**REGULATORY**  
**(Other Funds)**  
(Continued)

	For the Years Ending	
	August 31, 1996	August 31, 1997
Veterinary Medical Examiners, Board of		
Workers' Compensation Commission	2,404,976	2,404,976
Research and Oversight Council on Workers'		
Compensation	<u>668,490</u>	<u>668,490</u>
Subtotal, Regulatory	<u>\$ 13,764,300</u>	<u>\$ 13,576,852</u>
Retirement and Group Insurance	262,071	265,494
Social Security	<u>9,478</u>	<u>9,763</u>
Subtotal, Employee Benefits	<u>\$ 271,549</u>	<u>\$ 275,257</u>
Lease Payments		
TOTAL, ARTICLE VIII - Regulatory	<u>\$ 14,035,849</u>	<u>\$ 13,852,109</u>

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(All Funds)**

	For the Years Ending August 31, 1996	August 31, 1997
Accountancy, Board of Public	\$ 2,928,488	\$ 2,968,204
Administrative Hearings, Office of	3,445,206	3,381,420
Architectural Examiners, Board of	1,318,935	1,191,027
Barber Examiners, Board of	522,308	522,308
Chiropractic Examiners, Board of	296,602	296,602
Cosmetology Commission	1,434,682	1,434,682
Credit Union Department	1,269,040	1,246,575
Dental Examiners, Board of	1,147,911	1,133,291
Engineers, Board of Registration for Professional	1,285,775	1,374,275
Contingency Appropriations	<u>22,000</u>	<u>22,000</u>
Total	1,307,775	1,396,275
Finance Commission of Texas	9,895	9,895
Banking, Department of	10,868,120	9,868,120
Contingency Appropriations	<u>3,273,180</u>	<u>3,198,380</u>
Total	14,141,300	13,066,500
Consumer Credit Commissioner, Office of the	1,650,038	1,527,805
Savings and Loan Department	1,302,801	1,179,803
Contingency Appropriations	<u>733,000</u>	<u>1,213,000</u>
Total	2,035,801	2,392,803
Funeral Service Commission	491,821	491,822
Insurance, Department of	43,563,383	43,563,383
Insurance Counsel, Office of Public	951,046	959,026
Land Surveying, Board of Professional	293,085	293,085
Licensing and Regulation, Department of	7,386,529	7,386,530
Contingency Appropriations	<u>694,945</u>	<u>813,006</u>
Total	8,081,474	8,199,536
Medical Examiners, Board of	4,584,539	4,617,666
Nurse Examiners, Board of	2,594,073	2,558,542
Nurse Examiners, Board of Vocational	1,118,623	1,057,355
Optometry Board	289,328	267,929
Pest Control Board, Structural	1,194,962	1,189,515
Contingency Appropriations	<u>66,000</u>	<u>66,000</u>
Total	1,260,962	1,255,515
Pharmacy, Board of	2,316,738	2,224,789
Contingency Appropriations	<u>174,286</u>	<u>157,384</u>
Total	2,491,024	2,382,173
Physical and Occupational Therapy Examiners, Executive Council of	793,059	787,232
Plumbing Examiners, Board of	1,314,166	1,317,065

**RECAPITULATION - ARTICLE VIII  
REGULATORY  
(All Funds)  
(Continued)**

	For the Years Ending August 31, 1996	August 31, 1997
Podiatry Examiners, Board of	138,027	138,227
Psychologists, Board of Examiners of	654,619	656,461
Racing Commission	7,680,655	8,281,460
Contingency Appropriations	<u>838,458</u>	<u>944,288</u>
Total	8,519,113	9,225,748
Real Estate Commission	3,701,496	3,709,735
Rider Appropriations	<u>112,000</u>	<u>124,000</u>
Total	3,813,496	3,833,735
Securities Board, State	3,214,893	3,214,893
Tax Professional Examiners, Board of	151,926	148,349
Utility Commission, Public	10,374,484	9,452,681
Rider Appropriations	3,000	-8,432
Contingency Appropriations	<u>2,597,962</u>	<u>2,447,702</u>
Total	12,975,446	11,891,951
Utility Counsel, Office of Public	1,347,251	1,263,623
Contingency Appropriations	<u>600,054</u>	<u>529,260</u>
Total	1,947,305	1,792,883
Veterinary Medical Examiners, Board of	522,398	504,614
Workers' Compensation Commission	42,161,126	42,202,297
Contingency Appropriations	<u>1,363,184</u>	<u></u>
Total	43,524,310	42,202,297
Research and Oversight Council on Workers' Compensation	<u>668,490</u>	<u>668,490</u>
Subtotal, Regulatory	\$ 175,464,587	\$ 172,595,364
Retirement and Group Insurance	17,575,522	17,820,410
Social Security	<u>12,027,320</u>	<u>12,282,140</u>
Subtotal, Employee Benefits	\$ 29,602,842	\$ 30,102,550
Lease Payments	<u>4,458,346</u>	<u>4,451,152</u>
TOTAL, ARTICLE VIII - Regulatory	<u>\$ 209,525,775</u>	<u>\$ 207,149,066</u>
Number of Positions (FTE)	3,756.5	3,761.5